

ZB# 92-25

Mobil Oil Corp.

69-4-26.2

#92-25- Mobil Oil Corp -
Signs

Prelim.

Aug. 10, 1992

2nd Prelim.

~~Aug. 24, 1992.~~

Sept. 14, 1992.

- ① Deed here &
- ② Title Report &

OCPD must be

notified, map rec.

done - 9/17/92

Motion to sched.

P.H.

New N.O.D.?

① \$150.00 & Pk.

② \$250.00 & Pk.

③ Proxy needed ~~X~~

④ Rendering of &

Sign on Rt. 94 ~~X~~

⑤ Signs between pumps.

⑥ Photos of site

• Sign variances:

Granted ~~9/17/92~~

10/05/92

Oxford®

ESSELTE

NO. 753 1/3

MADE IN U.S.A.

Do F.D.
Get Attys Time

90
263

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

12902

Received of Bohler Engineering Inc (Mobil Oil Corp.) September 28 1992 \$ 150.00

One Hundred Fifty and 00/100 DOLLARS

For Zoning Board Application Fee 92-25

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>Chk # 9326</u>		<u>\$150.00</u>

By Pauline J. Theorand TS

Town Clerk

Title

DISTRIBUTION

FUND	CODE	AMOUNT
Chk# 9326		\$150.00

By Pauline J. Townsend RJ

Town Clerk

Title

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APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Mobil Oil Corp.

FILE # 92-25.

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE \$ 150.00

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 250.00.

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE	<u>8/10/92 - 17 pages</u>	\$	<u>76.50</u>
2ND PRELIM. MEETING - PER PAGE	<u>8/14/92 - 23</u>	\$	<u>183.50</u>
3RD PRELIM. MEETING - PER PAGE		\$	<u>72.00</u>
PUBLIC HEARING - PER PAGE	<u>10/5/92</u>	\$	
TOTAL		\$	<u>252.00</u>

ATTORNEY'S FEES:

PRELIM. MEETING-	<u>.2</u>	HRS.	<u>8/10/92</u>	\$	
2ND PRELIM.	<u>23.5</u>	HRS.	<u>8/14/92</u> <u>9/14/92</u>	\$	<u>3525.00</u>
3RD PRELIM. P.H.	<u>.3</u>	HRS.	<u>9/14/92</u> <u>10/5/92</u>	\$	
FORMAL DECISION	<u>4.9</u>	HRS.		\$	
TOTAL HRS.		<u>5.9</u>	@ \$ <u>150.00</u> PER HR.	\$	<u>885.00</u>
				TOTAL	\$ <u>885.00</u>

MISC. CHARGES:

TOTAL \$ 1137.00

LESS ESCROW DEPOSIT . . . \$ 250.00
(ADDL. CHARGES DUE) . . . \$ 887.00
REFUND TO APPLICANT DUE . \$ 1137.00

[Signature]

BOHLER ENGINEERING, INC.
786 MOUNTAIN BOULEVARD
WATCHUNG, NEW JERSEY 07060

EXPLANATION	AMOUNT

55-101/212

9327

PAY
AMOUNT
OF

Two Hundred Fifty only

DOLLARS

CHECK
AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
9/17/92	Town of New Windsor	N92096 Mobil Escrow Fee	9327

\$ 250.00

#92-25-

UNITED COUNTIES TRUST COMPANY
LINDEN, N.J. - SUNNYSIDE OFFICE

Andrew H. Bohla

⑈009327⑈ ⑆021201011⑆ 62 05 274 1⑈

BOHLER ENGINEERING, INC.
786 MOUNTAIN BOULEVARD
WATCHUNG, NEW JERSEY 07060

EXPLANATION	AMOUNT

55-101/212

9327

PAY
AMOUNT
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One Hundred Fifty only

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AMOUNT

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
9/17/92	Town of New Windsor	N92096 Mobil Sign Application Fee	9326

\$ 150.00

#92-25

UNITED COUNTIES TRUST COMPANY
LINDEN, N.J. - SUNNYSIDE OFFICE

Andrew H. Bohla

⑈009326⑈ ⑆021201011⑆ 62 05 274 1⑈

-----X

In the Matter of the Application of

MOBIL OIL CORPORATION,

DECISION GRANTING
SIGN VARIANCE#92-25.

-----X

WHEREAS, MOBIL OIL CORPORATION, a corporation with offices located at 50 Broadway, Hawthorne, N. Y. 10532, has made application before the Zoning Board of Appeals for (1) 162.4 s.f. sign area variance for five, free-standing signs, (2) 36.4 s.f. sign area variances for seven wall signs, (3) 13 ft. setback from lot line variance for sign #1, (4) 14.2 ft. setback from lot line variance for sign #2 and (5) four free-standing sign variances to allow a total of five free-standing signs in a zone where only one free-standing sign is permitted, all to be located at its premises fronting on both NYS Route 32 and NYS Route 94 at Five Corners, Vails Gate location in a C zone; and

WHEREAS, a public hearing was held on the 5th day of October, 1992, before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the applicant was represented at said public hearing by Gary Hughes, project engineer for Mobil Oil Corporation, Christopher Richter of Bohler Engineering, both of which spoke in support of the application; and

WHEREAS, application was opposed by Herbert Slepoy of Apache Associates which owns the real property on which a nearby Pizza Hut restaurant is located. Mr. Slepoy's agent, Gregory Shaw, P.E. of Shaw Engineering, appeared at the said public hearing on behalf of Mr. Slepoy and presented a letter dated October 2, 1992 which stated that Mr. Slepoy objected to the gasoline pricing sign on Route 94 which was proposed by Mobil Oil to be attached to a light pole at the rear of the station within a seven foot setback from Route 94. Mr. Shaw stated that his client was opposed to said sign because it would impair the visibility of the Pizza Hut restaurant from Five Corners. Mr. Shaw felt that Pizza Hut's visibility already was impaired by Mobil's previous construction of a car wash and equipment building, and said sign would further impair Pizza Hut's visibility; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that the applicant is seeking to vary the

provisions of the bulk regulations pertaining to sign area for free-standing signs, sign area for wall signs, setback from lot line for signs, and total number of free-standing signs in order to construct free-standing signs, building signs (including Pegasus disks) on buildings and canopies, and interior signs on pump islands on its site located at the intersection of NYS Route 32 and NYS Route 94 at Five Corners in Vails Gate.

3. Applicant's proposed sign area exceeds the bulk regulations for signs in the C zone by a total of 162.4 s.f. for the five free-standing signs by a total of 36.4 s.f. for the seven wall signs, and by locating sign number one 13 ft. too close to the lot line, and by locating sign number two 14.2 ft. too close to the lot line, and by proposing four free-standing signs in addition to the one free-standing sign permitted in the C zone and variances are required for more than the allowable free-standing sign area, for more than the allowable wall sign area, and for insufficient sign set back from the lot lines and for an excess number of free-standing signs in order to allow construction thereof.

4. The evidence presented and the Board's familiarity with the area shows that Five Corners in Vails Gate, at the Mobil Oil site, is a well-traveled and complex intersection of three major arteries (NYS Route 32, 94 and 300) at the five-cornered intersection which carries a high volume of traffic (some of which is relatively fast-moving through traffic) and has inherent problems with turning traffic and traffic flow. In addition, the existing complex directional signage and pavement markings and signage for many existing businesses at and near all five corners creates a need for very clear and instantly recognizable signage to identify the location of area businesses at this intersection and such signage is absolutely essential to avoid adversely impacting traffic at this complex intersection.

5. The evidence presented by the applicant further indicated that a recent redesign of the Five Corners intersection by the NYS Department of Transportation adversely impacted the applicant by moving the curbs in towards the applicant's site, by taking some of the applicant's corner property, and by relocating a very large traffic light pole and wires to a position which partly obscures applicant's sign at the corner of NYS Route 32 and 94.

6. The evidence presented by the applicant also indicated that the proposed signage is specifically critical at the Five Corners because of the amount of other signs in the area as well as the complexity of the intersection. Applicant presented illustrations of the other signs which appear on adjacent and nearby parcels at the intersection, showing square footage as well as other specific information on setbacks and encroachments into the rights-of-way. It appeared from analyzing this data that the applicant's sign package, although involving substantial variances, does not unduly expand upon applicant's existing signage nor upon signage for other nearby businesses, and is less intrusive and less confusing than much of the existing signage near the intersection since it is smaller in size and set back further from the right of way than much of the existing signage in the area.

7. The information submitted by the applicant showed that the recent redesign of the applicant's property from a traditional gas station with automotive service into a Mobil self-service station with Mobil Mart retail store and car wash has created the need for new signage to identify the several new operations on the site. In addition, since gasoline sales are price sensitive, the applicant indicated that display of pricing information on both its road frontages was absolutely essential to its operation on the site. The applicant responded to this Board's concern about excessive signage by eliminating entirely a free-standing sign at the southeast corner of the property adjacent to NYS Route 32 which would have displayed the Mobil logo and pricing information. In addition, the applicant offered to further ameliorate the impact of its sign package by agreeing to limit the information displayed on the free-standing sign at the northwest corner of the property, adjacent to NYS Route 94 by restricting said sign to the display of the Mobil logo on two sides and pricing information on two sides. The applicant indicated that this sign was necessary to make said data visible and traffic on NYS Route 94. This proposed sign in this location is smaller than the existing signage.

8. The information presented by the applicant indicated that the free-standing sign at the northeast corner of the property at the intersection of NYS Route 32 and 94 was necessary to identify the site and gasoline prices and service to traffic on NYS Route 32 and 300.

9. The applicant also indicated that the wall signs were necessary for identification of the site and of new goods and services available on the site. The interior signs on the pump islands were designed to allow the applicant to market items at the site without impacting the roadway system and making the road signage more confusing. It is this Board's finding that the signage package as reduced and conditioned by the applicant has ameliorated the adverse impacts of signage on the public health, safety, and welfare while at the same time giving the applicant reasonable exposure for its operations at the site.

10. This Board has considered the objections of Herbert Slepoy and his agent, Gregory Shaw, P. E. and finds that the same do not warrant denial of variances pertaining to the sign to be located at the northwest corner of the property adjacent to NYS Route 94. It should be noted for the record that the property on which Pizza Hut is located and the applicant's property, are not adjacent parcels; there is a narrow intervening parcel owned by a third party. The impairment of visibility of the Pizza Hut restaurant from the Five Corners is not so much a function of the recently constructed Mobil Car Wash and equipment building (which it must be noted were constructed within the parameters of the Zoning Local Law since variances pertaining to the said car wash were previously denied by this Board by its decision dated September 23, 1991, File No. 91-23, and said car wash was redesigned and built in a conforming manner) but from the layout of the Pizza Hut site which places the building considerably back from the road and lower than the road. In addition, the top of the proposed Mobil sign in question is located lower than the bottom of the closest Pizza Hut sign and said Pizza Hut sign is twice the size

of the Mobil sign, thus this Board finds that the proposed Mobil signage will have a negligible impact upon the visibility of the Pizza Hut restaurant and signage.

11. The evidence furnished by the applicant and this Board's familiarity with the area further shows that clear, easily recognized signage is especially critical in this area of Five Corners because of the complex intersection, the high volume of traffic - both fast moving through traffic and slow turning traffic - and because the recent redesign of the intersection and the reconstruction at the applicant's property with a new configuration of buildings offering added services and goods and new traffic patterns, new, well-designed, and instantly recognizable signage is absolutely essential. It is the finding of this Board that the sign package presented, after the applicant ameliorated some ill effects, by reducing the same and conditioning the same, will minimize the hazards to the public health, safety and welfare, and at the same time provide the applicant with necessary exposure for its operation on the site.

12. The evidence presented further showed that the proposed signage will facilitate ready identification of the applicant's property by passing motorists.

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law in this matter:

1. The requested variances will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties. The premises are used for uses permitted in the C zone which is consistent with the character of the neighborhood. The proposed signage is consistent with the character of the neighborhood and is closer to conforming to the bulk requirements than signage on some neighboring properties.

2. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

3. The requested variances are substantial in relation to the bulk regulations for sign area for free-standing signs, sign area for wall signs, set back from lot lines for signs and number of free-standing signs permitted on a site. However, it is the conclusion of this Board that the granting of the requested substantial variances are warranted here because the proposed signage is a reasonable balancing of the applicant's need to identify the applicant's expanded operation on the site and the need to protect the health, safety and welfare of the public near a busy and complex intersection which already contains considerable signage, much of which is even more substantially violative of the bulk regulations. It is also the conclusion of this Board that the proposed signage, which is consistent with Mobil's standard sign package, is more readily identified by passing motorists and this is a benefit to the public in that it allows a quick perception of the signage, which allows a motorist time to decide whether to stop at the applicant's property, and to react to that decision without adversely impacting

other traffic. This benefit can only be achieved by granting the substantial variances sought herein.

4. The requested variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the applicant faces in conforming to the bulk regulations is not self-created, or is only partially self-created. The recent redesign of the Five Corners intersection by the NYS Department of Transportation and the resulting taking of part of the applicant's corner property and the redesign of its curb cuts are all difficulties that were not self-created. The rebuilding of the facilities and the expanded use of the site were self-created difficulties but they represent a reasonable conforming use of the applicant's property in the C zone (retail stores are permitted by right therein and gasoline filling stations are uses permitted by special permit therein). The signage is incidental to this use and is reasonable in these circumstances.

6. It is the finding of this Board that the benefit to the applicant, if the requested sign variances are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community by such grant.

7. It is the further finding of this Board that the requested sign variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

8. The interests of justice will be served by allowing the granting of the requested sign variances.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT (1) 162.4 s.f. sign area variance for five free-standing signs, (2) 36.4 s.f. sign area variance for seven wall signs, (3) 13 ft. setback from lot line variance for sign #1, (4) 14.2 ft. setback from lot line variance for sign #2, (5) four free-standing sign variances to allow a total of five free-standing signs in a zone when only one free-standing sign is permitted, upon the condition that free-standing sign #2 shall be restricted to the display of the Mobil logo on two sides and pricing information on two sides, at the above location in a C zone, as sought by the applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: December 28, 1992..


Chairman

(ZBA DISK#8a-050388.fd)

Mobil Oil Corporation

*Rec'd. 287
10/5/92*

50 BROADWAY
HAWTHORNE, NEW YORK 10532

October 2, 1992

Zoning Board of Appeals
ATTN: Pat Barnhardt
555 Union Avenue
New Windsor, NY 12553

**SUBJECT: Delegation of Signature Authority to GARY E. HUGHES,
Project Engineer for Mobil Oil Corporation.**

Dear MS. Barnhardt:

This letter confirms that GARY E. HUGHES, Project Engineer, IS authorized signature authority for documents relating to planning, zoning and permitting applications on behalf of Mobil Oil Corporation.

Please contact me with any questions, 914-742-2921.

Steve P. Trifiletti
STEVE P. TRIFILETTI
Engineering Manager

GEH/geh

Date 1/22/92, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth 351 Moses Hill Rd DR.
New Windsor, NY 12553

DATE			CLAIMED		ALLOWED	
12/5/91		Zoning Board Meeting	75	00		
		1/1/92 - 4	18	00		
		Donuts - 30.00	36	00		
		Aguing - 13	58	50		
		1/1/92 - 16	72	00		
		Carrots - 13	58	50		
		Windsor Enterprises 13	58	50		
			376	50		

MOBIL OIL CORP. - PUBLIC HEARING

MR. FENWICK: The first public hearing on Mobil Oil Corporation request for 1, 162.4 square foot sign area variance for five, three standing signs. Item number 2, 36.4 square foot for seven wall signs. Item number 3, 13 foot setback from lot line for sign number one. Item number 4, 14.2 foot setback from lot line for sign number 2.5, not more than one free standing sign is permitted. Location is five corners Vails Gate. Present is Chris Richter and Gary Hughes. I have a letter here in the file somewhere. Mr. Hughes, is an authorized speaker of the property.

MR. RICHTER: I think I will start from scratch since we are at a public hearing tonight. My name is Chris Richter. I am here on behalf of Mobil Oil Corporation. Also Gary Hughes is project engineer who is handling the construction on the project. I'd like to present the basic sign package to you first and then go into the substantiating of the granting of the variances. As you know Mobil just constructed a full service gasoline station with a car wash, service building and six multi-product dispensers. As part of that facility we are proposing a sign package consisting of one car wash building mounted, which is 12.5 square feet. That is an existing sign at this time. Two canopy legends consisting of sixteen square feet, once again those are presently installed and existing. A Mobil Mart sign consisting of 11.3 square feet which is also existing. Two Pegasus discs which are wing horses mounted on each side of the service building, we generally consider those logos. Some municipalities consider those as signs. It's a matter of interpretation. In addition we are proposing a free standing sign located at the intersection of 94 and 32 free standing consisting of 49.5 square feet. Proposal also consists of three, we consider interior message unit signs which are 10.1 square feet. Each of those are located between the fuel dispensing islands. Those serve to market patrons which are already at the islands themselves. Are not intended to distract the passerby vehicle. Final signs we are

proposing is what we call a snap lock sign which is located, which shall be located on a light pole located on the westerly side of the westerly ingress/egress off of 94. That sign was a matter of discussion at our last meeting. At that time, I made reference that it was to be used for pricing as well as marketing certain seasonal products. After consulting with Mobil it was decided that we would restrict that just to pricing information. Justification on the sign is the free standing sign on the intersection of 94 and 32 oriented in an east/west fashion so that vehicles coming east and west on 94 would not be able to see that sign until they are physically at that intersection. Pricing information, which is critical in todays marketplace, would not be visible until that vehicle is already passed the station. Resulting in an impulse movement, sharp right adverse impact on the public health and safety.

Our second drawing gave full details on those signs which is part of the package. The I.D. sign itself consists of 23.8 square foot I.D. portion as well as a 19.8 pricing section. Then a 5.9 square foot wash ancillary sign. The, the free standing sign itself is critical with respect to its location. The fact that patrons using service stations are quite often impulse shoppers where they will see a station, make a relatively impulse move where they would, they need to see that sign relatively good distance so they can see it, perceive it, make a decision to enter the station and then react to their decision and maneuver into the station. It's also specifically critical at five corners because of the amount of other signs in the area and as well as the complexity of the intersection. What I've submitted to you tonight is a short report that illustrates the other signs at the intersection showing square footage as well as their specific location.

As you can see on that summary sheet which is the second sheet all those signs directly at the intersection are the setbacks to the right-of-ways are zero feet where actually they maybe less. Some of the signs may actually be encroaching into the right-of-way. We did not perform surveys on the individual properties. We are not aware of

their exact location. Based on the curbs they are on or within the existing right-of-ways. The proposed total square footage of 49 square feet is consistent within those signs at the intersection slightly larger than others, slightly smaller than others. So with respect to the detriment to the neighborhood itself it's clear that we are consistent with the neighborhood signage that will cause no adverse impact to the overall neighborhood and intersection.

As the attorney mentioned we have to substantiate our request through five items. With respect to the nearby properties as I just mentioned our signage is consistent with the neighborhood and by being consistent we will not cause any adverse impact or detriment to the neighborhood.

Item two has to do with any other feasible method of obtaining our goals without creating variances. This sign package is intended to supply the patron and the traveling motorist with ample time to see the site and react. The square footage that we are requesting is intended to benefit the traveling public through providing ample time to react and enter the site. We feel that through the number of structures as well as the perplexity of the intersection that the request for variances is a true benefit to the public as opposed to a detriment and that the variance procedure is required to provide that benefit.

Item three, is has to do with the substantial impact with respect to the ordinance. Once again due to the number of facilities, the car wash, the mart structure, the canopy and the number of services provided by the station we require additional signage. As a result of that requirement we have exceeded the number of signs permitted by ordinance. With respect to the square footage requirements once again that is correlated back to the fact we need to provide adequate reaction time to the traveling motorist and the substantial nature of the increase square footage is direct benefit to the public as opposed to a detriment.

With respect to number four, any adverse effects on the physical environmental conditions, the site is presently zoned as commercial. The use is consistent with the intersection, both on 94, 32

and the surrounding areas so that based on the fact that we are consistent with those uses there will be no adverse impact on the surrounding area due to the signage.

Item number 5, how is it a self-created hardship. That the hardship in itself as far as providing additional signage and the square footage is an industry created hardship where we have to compete with those others in the business in the direct vicinity of the site and the number of signs as a direct result of both providing the public with ample time to react as well as on site circulation providing signage on the buildings to allow those patrons service, the site using the site, to know where they're going and which structure they are heading for as well as free standing signs we need to provide the I.D., the pricing and the car wash in order to notify the public of what's going on on the site as well as being competitive in the marketplace. So the hardship as comparing this to a self-created hardship we blame this almost on the industry and the competitive nature of the industry. In fact we need the signage in order to compete in towards marketplace, with that in mind.

MR. LUCIA: On that last point was some of the change in signage necessitated by D.O.T. restructuring the five corners intersection?

MR. RICHTER: That's correct, that's an additional hardship was the acquisition of the right-of-way and the restructuring so that the sign itself is now in closer proximity to the right-of-way line and that taking intensified our request for a variance.

MR. FENWICK: The proposed sign number 2, the free standing sign on the 94 side up the middle, did you change the size of that? Did you down size it?

MR. RICHTER: No, unfortunately it is a standard size for Mobil as far as the point of all of snap lock signs. We are willing to commit to strictly signage on that, excuse me, strictly pricing. That is once again based on the fact orientation of that sign is such the main I.D.

pricing sign is such we really need to notify if a motorist is traveling eastbound on 94 that it is a service station due to competitive nature of the industry pricing is essential these days.

MR. FENWICK: Let me understand, what you were going to do before then was going to have the advertising for the quick advertising in lieu of the pricing?

MR. RICHTER: That's correct. I've got a photo here of another snap lock sign the board requested a couple of photos the last time. One of an existing interior message unit and one of a snap lock. It has some of the traditional marketing ploys that are placed on the snap locks. We would submit to a pricing which would be the three grades of gas --

MR. FENWICK: What are considered the snap lock signs?

MR. RICHTER: The one in the light post snap lock, the small one is the interior message unit which is a ten square foot sign that is located between the two fuel dispensers.

MR. FENWICK: We are seeing representation of the size there?

MR. RICHTER: That is the exact size -- I have also provided, also, got a detail here showing exact dimensional proposal for the point of a sales sign.

MR. FENWICK: This sign is going to be substantially away from the curb so it's not going to present a traffic hazard. It can be seen? It's not a problem with somebody exiting there, going to be able to see?

MR. RICHTER: The height of the sign is such a motorist, traveling motorist, the eye height would be the below the bottom of the sign.

MR. TORLEY: What do you mean externally illuminated?

MR. RICHTER: The light pole itself since it's mounted on a light pole the down light from the light which also lights the intersection creates the light as required. There is no additional lighting for that snap lock.

MR. FENWICK: No specific lighting for the sign there?

MR. RICHTER: That's correct. It just benefits from the location.

MR. TORLEY: It's a two face sign?

MR. RICHTER: Correct.

MR. TORLEY: That's probably the company's standard. I was curious why you need the second face facing east because anyone coming from that direction has obviously seen your other signs.

MR. RICHTER: True, it is the way the sign is constructed. Snaps on that to that light pole and it's a double face sign. That is the standard.

MR. FENWICK: It would look stupid if it didn't have something on it. I know we like to cut down signs. I am more concerned with size rather than faces myself.

MR. RICHTER: Just the signs we are proposing are extremely consistent with industry standards. Not excessive in anyway as far as --

MR. FENWICK: I think the concern of the board the last time was not so much what you were going to have on that sign, it was if you in fact were going to add to it. In other words, have a basic sign and then write under the bottom with some kind of promotion with what was going on. If we are looking at the same size sign I don't know whether it's much of a concern with us what's on it as far as pricing or the, what it was going to be.

MR. TANNER: I think it does make a difference. I think rising, I can see a legitimate reason for

pricing. I can't see a legitimate reason for any other type of message on there.

MR. TORLEY: Free glasses or something like that.

MR. TANNER: Yes.

MR. TORLEY: If you are willing to stipulate that's what, only that would be on the sign, you're not going to enlarge it.

MR. RICHTER: No, it's, once again standard size and Mobil Oil is willing to commit to pricing only and it would be incorporated into actions this board takes.

MR. FENWICK: I guess this is basically the same as the one I saw at Union Avenue, Meadow Hill.

MR. RICHTER: I am not sure. 207 and 300 station just occupy the road that has interior message unit as well as snap locks.

MR. FENWICK: They are probably the legal. I was kind of looking at something that was new. The one that's in the Town of Newburgh was basically the same type situation that you had here, you leveled and started over again, that's what I was looking at using that as a reference.

MR. HUGHES: Yes. It's going to be the same, exact same size signs that are there.

MR. FENWICK: Exact same size signs, snap lock signs on the poles. Now this would be the same thing?

MR. HUGHES: That's correct, yes.

MR. FENWICK: I have spent some time at that station.

MR. FENWICK: Any other questions from members of the board? At this time I'm going to open this up to the public. Apparently we have some people here. Try to be brief with your statements, listen to the previous person, try not to be

repetitious.

11 MR. SHAW: Gregory Shaw, from Shaw Engineering, Newburgh. I'm here tonight representing my client, Herbert Sleepboy of Apache Associates who is the property owner immediately to the west known as Pizza Hut. Just orientation. Before I read this letter into the record maybe I would just point to the sign in question that has Mr. Sleepboy concerned, that is this snap lock sign which is within one foot of the property right-of-way. If I could, the letter is dated October 2, 1992 Zoning Board of Appeals, 55 Union Avenue, New Windsor, New York. Gentlemen, since the Mobil Oil company decided to rebuild the service station at Routes 32 and 94 my concern as an adjoining owner, that being Pizza Hut, Route 94, has always been that our visibility from the corner of Routes 94 and 32 would be reduced to a point where we have limited rights to visibility. Mobil Oil had requested and was allowed to build a car wash building of approximately 50 feet in length and then equipment building 20 feet long. Leaving a small unobstructed view from the corner of Routes 94 and 32.

Now, Mobil Oil is again asking to further reduce the unobstructed visibility by requesting a three and one half foot wide and six foot high gasoline price sign attached to a light pole which is setback only seven feet from the property line. I interject, I believe it's less than a foot, as I said. You can understand why I'm concerned and therefore am requesting that the board reject the gasoline price sign on Route 94 being requested to be attached to a light pole at the rear of the station in a seven foot setback. There will be a total of fifteen signs that Mobil Oil will have on the station to denote prices, the name of the oil company, listing of services, offices, etc.. My thought is if they have one less sign for total of 14 signs that Mobil Oil would survive without having to steal irreplaceable visibility from a neighboring property owner. Therefore, I am writing in the hope that the board will understand and consider my small request. Very truly yours, Herbert Sleepboy. I would like to present that to the board. Thank you.

MR. TORLEY: Your client is not objecting to the other signs?

MR. SHAW: No, just the visibility is very important to the Pizza Hut operation and to any retail establishment as it presently exists. The visibility from 32 and 94 is very critical. It's a very busy intersection. As you view in a westerly direction the major signage for Pizza Hut is on the roof of the building. That in my client's opinion was encroached when they built the car wash encroaching from a left to the, left to right. Now with this proposed sign being installed along the right-of-way he feels it is encroaching from a right to left as you are standing at the stop signal at the five corners looking in a westerly direction. Again, the other fourteen signs he has no problem, just that one particular sign.

MR. FENWICK: Just to clarify the record this board did not allow the car wash to go where it is. The car wash was put in, moved considerably, legally.

MR. TANNER: Everyone has a right to exposure. It didn't say just because you are next to someone you have to build your building so people can see their's.

MR. RICHTER: That's correct, I think the Mobil Oil is on a corner property. I am sure that cause is reflected in the location of the property opposite to Pizza Hut. I am sure they paid dearly for that location. With respect to the visibility issue I think by the detail you can see we are looking at a relatively small sign. Three and a half feet wide by six feet high. As far as it's impact on the actual visibility of the Pizza Hut operations, it's neglectability, at best as far as motorists traveling up and down 94 having that sign impact the visibility because of their free standing sign on the structure. Unfortunately Pizza Hut building is located relatively far back and down gradient from the roadway so their visibility is impaired just through the construction of the site itself. Our snap lock

sign will not impact the visibility of their free standing sign based on the fact it will be much lower than their free standing sign.

MR. LUCIA: How will the area of the Pizza Hut free standing compare with the area of that snap lock?

MR. RICHTER: About twice the size. Now, I almost guesstimate the square footage I cannot accurately measure. I estimated about a six by six sign. It could be slightly larger, slightly smaller. I think the mounting height of that sign is upwards of 20 feet in height. I am not sure if that's been part of an application in the recent past where that information can be confirmed. But based on the mounting height of 20 feet and a sign height of six by six the bottom of their sign would be fourteen feet which is the top of our light pole. So you can see that our snap lock sign would not impact on that site on the visibility of that sign.

MR. FENWICK: Anything else from members of the audience? At this time I'll close the public hearing and open it back up to the members of the board. Any questions from members of the board? Comments?

MR. TANNER: I wasn't really in favor of that snap lock sign for just general advertising but I think he makes a good point for pricing. If motorists aren't able to see the price until they get right into the five corner intersection, that can have an impact on your business as far as it being competitive business and they can see other prices of other stations before they get to that point.

MR. TORLEY: Impact on the customer if he slams on his brakes.

MR. TANNER: I don't quite see how it really impacts on Pizza Hut to any extent.

MR. FENWICK: Mr. Richter, can you come here a second? If I can identify here. Are we talking about that sign being this light pole here?

MR. RICHTER: That's correct.

MR. FENWICK: Certainly seems the telephone pole is in more of a --

MR. TANNER: That's right.

MR. NUGENT: Just the one to the left of the pole.

MR. FENWICK: Yes.

MR. TORLEY: I have never heard of anybody having a vested right to be seen across somebody else's property.

MR. TANNER: I do think that was taken into consideration with the Planning Board.

MR. FENWICK: I think we definitely thought about that when we were, when they came before the board whether we were questioning the car wash, the location of the car wash and we took that into consideration at the time, I'm sure.

MR. TANNER: I think the Planning Board did, didn't they, Mike?

MR. BABCOCK: Yes.

MR. FENWICK: I myself don't see how this little snap lock sign is going to affect Pizza Hut. I could be wrong just by looking at this photograph here. I like, I happen to like where Pizza Hut sign is. Certainly looks like they are off the right-of-way. But as far as from Pizza Hut's property it's considerable.

MR. FENWICK: Any other questions from members of the board?

MR. LUCIA: Greg, intervening piece of property between Mobil and Pizza Hut. They are north contiguous owners, are they?

MR. SHAW: If it is it's maybe a 20 foot strip.

MR. TANNER: McDonald's owns the strip that runs between the two properties.

MR. LUCIA: Fairly good separation between the signs?

MR. NUGENT: Like 20 feet.

MR. HUGHES: About 26 feet.

MR. RICHTER: As far as the positions between the two, the distance between the two signs, it would be almost 100 foot distance between the two signs.

MR. TANNER: When they were in last time we also were discussing those interior signs and it was brought up that might be a, also a problem as far as too much signage on the site. I don't know how the other board members feel about it but I would like to see some of that cut down.

MR. FENWICK: Those free standing signs that are at the pump, there are three of them.

MR. RICHTER: That's correct.

MR. FENWICK: Are there three pump locations?

MR. RICHTER: Three tandem pump locations. These free, the interior message units are standardly placed only when you have a tandem dispenser location. So they, they are there strictly to market patrons already at the fueling positions. They are too small. The market items are based on, opposed to sign and letter, whatnot, it's based on a patron being within a short --

MR. TANNER: Signs.

MR. RICHTER: 10.1 square feet. Actual sign dimensions, exact dimensions, I believe are two and a half by four. I submitted a photograph. I have got another one here.

MR. TANNER: I saw it when it came by.

MR. RICHTER: If you look at the photograph you

can see the letter heightening and the marketing issues are really far, far too small to be seen from any car passing by. In the event a vehicle is cued or fueling the sign is obviously blocked from, totally blocked from view of the 94 and 32. It certainly seems to be standard features of gas stations.

This type of sign allows us to get us away from some of the, unfortunately some of the standard signage that service stations have used temporary signs on A stands and whatnot. This will provide the marketing tools that these stations need especially when there is a market involved that has a seasonal promotion inside the mart.

MR. TORLEY: If I can get rid of temporary signs I will be happy.

MR. TANNER: I will agree with that.

MR. FENWICK: I don't see a problem with that because we are standard looking at what everybody is doing. These are the first people that come in here and say can we do this. Whatever the pleasure of the board is right now. I myself don't have a problem with that. Most people don't even consider them signs.

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MR. NUGENT: Develop strictly about the center sign?

MR. FENWICK: Yes. Any other questions from members of the board? I think the pleasure of the members of the board the last time was that we treat each individual sign, I don't know whether you still want to do that or not, that's up to you. I know we had talked about it the last time. We are not locked into that.

MR. TANNER: I don't have a problem voting as a package.

MR. NUGENT: I think we had a lot of questions at that time.

MR. FENWICK: I think we cleared up several of them. I believe you have made some

considerations, changes from the first preliminary hearing to the second one.

MR. RICHTER: That's correct, we had eliminated the snap lock sign located on the light pole on the south side of the ingress drive on 32. So that was eliminated.

MR. HUGHES: The size of the sign was reduced, actually.

MR. FENWICK: The main sign, wasn't that reduced?

MR. RICHTER: That's correct, it went from 80 square foot to a 49 square foot. Standard size of the Mobil sign as packaged. I think we are almost as small as we can get from a free standing.

MR. FENWICK: Any other questions from members of the board? I will leave it up to whoever the pleasure is to grant the variance however they want to put it to go.

MR. TORLEY: I suggest we do it one package.

MR. FENWICK: Are we looking at any changes from what we have here in the record as far as the request for 162.4 square foot area variance, is that correct.

MR. BABCOCK: That's right.

MR. FENWICK: Five free standing signs, item number 2, 36.4 square foot for seven wall signs.

MR. BABCOCK: Yes.

MR. FENWICK: Thirteen foot setback from lot line for sign number one, that's at the intersection, is that correct?

MR. BABCOCK: Yes.

MR. FENWICK: Number 4, 14.2 square foot, I'm sorry, 14.2 foot setback from lot line for sign number 2, which is on Route 94.

MR. BABCOCK: Yes.

MR. FENWICK: Item number 5 not more than one free standing sign is merited and we have four additional, is that correct?

MR. BABCOCK: Yes.

MR. FENWICK: There is nothing else added to that or changed?

MR. BABCOCK: No.

MR. FENWICK: If someone would like to make a motion, is there a comment?

MR. LUCIA: I just want to ask the applicant offered I believe on sign two to restrict that to the Mobil logo and pricing information?

Restriction:

MR. RICHTER: That's correct.

MR. LUCIA: I don't know if the board wants to condition the variance grant on that or leave it to their discretion.

MR. NUGENT: I would like to see that, Dan.

MR. TANNER: Yes.

MR. LUCIA: Is that a correct statement, it's the Mobil logo and two sides and pricing information on two sides?

MR. HUGHES: Yes.

MR. RICHTER: That's correct.

MR. FENWICK: Whoever makes that in the form of a motion, please amend it that way.

MR. NUGENT: I will make the motion that we grant with the provisions that the, this is the sign that's down towards Pizza Hut, right?

MR. FENWICK: Correct, sign number two.

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MR. NUGENT: That it has the Mobil logo on it and pricing information only.

MR. TANNER: Second.

MR. FENWICK: We'll have a roll call.

ROLL CALL

MR. TORLEY	Aye
MR. NUGENT	Aye
MR. TANNER	Aye
MR. FENWICK	Aye

MR. FENWICK: Motion is granted. You have to wait for a formal decision, that's all I can tell you right now. You maybe a little ways away from that.

MR. RICHTER: What is the process until construction, until we can put the free standing sign up anyway?

MR. LUCIA: I think you have to resolve that with the building inspector.

MR. BABCOCK: Right.

Date 10/9/92, 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Roth 389 Morris Hill Rd DR.
New Windsor NY 12553

DATE			CLAIMED	ALLOWED
3/14/92		Zoning Board 63 pages.	75 00	
		Misc. 3	13 50	
		Mobil - 23	103 50	
		Belinsky - 12	54 20	
		Clancy - 10	45 00	
		Windsor Enterprises - 7 (4) (3)	31 50	
		Schumacher - 5	22 50	
		Bella - 3		
			358 50	

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PRELIMINARY MEETING: MOBIL OIL CORPORATION (SECOND
PRELIMINARY)

Chris Richter from Bohler Engineering came before the Board representing this proposal.

MR. FENWICK: This is a request for (1) 162.4 square foot sign area variance for five freestanding signs, (2) 36.4 square foot for seven wall signs, (3) 13 foot setback from lot line for Sign #1, (4) 14.2 foot setback from lot line for Sign #2 and (5) not more than one freestanding sign permitted. Location: Five Corners in Vails Gate.

MR. LUCIA: If I can just make one clarification on the fifth variance request just to amplify what is there that is actually a variance request for four freestanding signs in a zone where one is permitted and five are proposed.

MR. FENWICK: Tell us about it.

MR. RICHTER: I've got a little sign study that our office performed. I understand that Mr. Steinfeld from the office was up here two weeks ago, actually a month ago to go over the sign issue. I'll try not to repeat what he's gone over. If I do, don't hesitate to tell me to move on.

What I'd like to start with is the main freestanding sign which consists of an I.D. which is the Mobil logo and pricing which is standard pricing for the various grades of gasoline. I'm not sure if the Board members have plans handy but the proposed identification, the details of the sign are shown in the second sheet. This is the I.D. sign we're proposing. And as far as the location that total sign consists of 49.5 square feet.

We are proposing situated almost where the existing I.D. sign is, it's in that corner location which is the northwesterly, I'm sorry, the northeasterly corner of the site. That is the sign will be located two feet off the right of way, which is approximately seven feet of the curb face. What we have done we have gone out to the intersection and taken photos, setbacks and

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sizes of the existing signs presently in the intersection. Our argument for both the size and the location is based on a number of issues. What I'd like to do is first go through these signs at the intersection, I'm sure everyone has been through the intersection a hundred times so you're familiar with these specific signs.

Sign #1 is the Dairy Mart sign which is located diagonally across. There is a key map which is the first sheet so it's the Dairy Mart is located between 94 and 32. That is, that sign actually has 0 foot offset to the right-of-way and consists of 35 square feet. Second sign #2 is the Foam and Wash Car Wash which is located east along 94. That consists of 35 square feet also has 0 foot offset to the right-of-way.

MR. TORLEY: Are you counting only one face in these calculations?

MR. RICHTER: That is correct, it's a bad habit of ours so --

MR. TORLEY: Dairy Mart sign has, we would consider then total area of 70 square feet?

MR. RICHTER: Correct, I apologize. These just to take a step back, these are all basically competitors in the direct vicinity of the intersection. Sign #3 and #4 are the Hess Oil signs which is located between Route 300 and 32 on the corner lot. They have got two 56.5 or 100 square foot signs, you look at the key map, they have got one located on the east, one located on the west side of the property. Once again, they have a 0 foot setback to the right-of-way. Then you have Sign #5 which is Dunkin Donuts which located directly across 94 on the corner of 94 and 300. That is a much bigger sign, that is 144 square feet. Once again, that by 0 foot would be conservative some of these signs clearly overhang the right-of-way. This is one of the signs you can safely say hangs into the right-of-way. Also sign is the Pizza Hut sign which is located just to the west of the Mobil property. That sign has estimated offset of 6 feet to the right-of-way line. And as you can see by that picture, that sign is relatively well off from the curb line and pulled back away from the visual line of sight of the roadway.

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So, by comparison, Mobil sign 49.5 square feet if you take a look at the Hess Oil sign, we're, I'm sorry I should double those square footages but we are --

MR. TANNER: We'll understand.

MR. RICHTER: We are roughly 20 square feet actually it's about 14 square feet less than the Hess Oil sign, if you're familiar with the area, I think you can get an idea of just how big those Hess Oil signs are, not that large a sign in relative perspective. As far as other issues that we feel are important with respect to the sighting of the sign where it is you have got a very complicated intersection with the Five Corners. It's extremely important to allow drivers to perform three key functions when you perceive the sign, decide what to do and react based on their decision. The location of that sign enables vehicles on three of the major arteries there to do that, provide ample sight distance.

With respect to one of the other freestanding signs we're proposing which is what we call is a P.O.S. which is a snap-lock sign, that's located on the westerly side of the ingress and egress off of Route 94. The orientation of the freestanding sign is in an east/west fashion. It's going to be facing east/west so any driver proceeding along 94 as he sights down 94, will not be able to see this sign. The intent of this snap-lock sign on this light pole here is to allow those vehicles on 94 to perceive the site. It's going to be as far as what is on that sign, it's going to be very seasonally something like detergent free gasoline, something to let the driver know it's a gas station and to perceive the sign, react and enter the site. So, without that sign there, driver may make a snap decision, slam on his brakes, maneuver aggressively into the site causing a potential traffic hazard.

One change that has been made since the last meeting we eliminated the snap lock on the south entrance. That is now gone.

MR. TORLEY: This sign too?

MR. BABCOCK: There's no sign, there used to be one just like it.

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MRS. BARNHART: Which one is it?

MR. RICHTER: The one on the southerly --

MR. LUCIA: One next to MacDonalds?

MR. RICHTER: Correct, that would have been consistent with the I.D. sign so elimination of that sign would not impair the driver's perception of the site. That is with the other change was that we added three what are called hyamews (phonetic) which are interior units that are set in between these islands, these are not readily visible from the roadway, they're purpose is to market that are sold within the store, they are low to the ground, there's a detail provided on the second sheet. That shows that the vehicle is cued or is fueling up that sign would be totally blocked from the roadway so their intent is not to be seen from the roadway but it's their intent just to market items in the store, once you're at the fueling position. Now, those can be mounted directly to the canopy columns, if you desire, and consider a building mounted sign as opposed to a freestanding sign but constructability standpoint, it's easier to set them directly into the paved areas.

MR. FENWICK: What do you consider is wrong with the sign that at the corner right now?

MR. RICHTER: Is outdated, right now Mobil standards is a twin pole sign right now and they are, it's a marketing decision. From a technical standpoint, I certainly can substantiate their differences, they're adamant about the fact that they want to modernize the facilities. Mobil spent a lot of money on this station already, they want to be consistent with the 90's look, that is twin pole look consistent I.D. and price.

MR. TORLEY: What is wrong, you're going to replace the existing sign, why not the one you have got here there?

MR. RICHTER: They felt that that large diameter guy-wire for the telephone impaired the visibility of the sign, you have got 3 foot diameter pole that obstructs the view from 300 so by pulling this out off to the right, it gives better visibility to 94, excuse me 32 and 300.

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MR. TORLEY: I've got to tell you from 32, that sign is very visible from the far side, Caldors, so it's not exactly being obstructed.

MR. RICHTER: I agree with you there. The obstruction is more from Route 300. As far as relative location within that area, we'd like to try to keep it as far to the right as possible east/west orientation is made to pick up the visible impact from 32 and 300 so far to the right you are better impact and once again the added perception time the more time you can react to the sign.

MR. TORLEY: What caused you to decide to add these signs between the pumps?

MR. RICHTER: That was Mobil's decision. They felt that the loss of the snap-lock on the southerly entrance they'd like to try to market those items in the store without impacting the roadway system itself, these are, once again these are, will not be visible from the roadway if a vehicle is cued at any pumping position adjacent to the signs.

MR. LUCIA: In looking at the illustration on the, in your signs, I notice on Sheet 2, it shows Pegasus discs on the fascia just so we dot all the i's and cross all the t's, are they considered signs or --

MR. RICHTER: We are not considering those as signs, the Pegasus discs that we consider are ones mounted on the sides of the building.

MR. LUCIA: Just raise the question for the Board so they are aware of it.

MR. TORLEY: They are considered merely as an architectural decoration, not as advertising sign?

MR. RICHTER: Correct.

MR. LUCIA: The pumps obviously have price signs above them which are statutory.

MR. RICHTER: That is State law.

MR. LUCIA: Whether the Board wants to consider them as total sign area, that's the decision of the Board.

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MR. TORLEY: Another question on the signage between the pumps, how high are these supposed to be?

MR. RICHTER: I believe they are 4 feet.

MR. TORLEY: They are higher than that.

MR. RICHTER: Ten square feet. I believe they are 2 1/2 by 4.

MR. FENWICK: I don't want to proceed with, I want to know what signs down there are illegal now.

MR. BABCOCK: What signs?

MR. FENWICK: In other words, Mr. Richter has pointed out to us Dunkin Donuts, Hess and these are the people as far as I know there isn't a legal sign down there.

MR. RICHTER: They would not conform with the ordinance, that is correct.

MR. BABCOCK: That is for sure but to be very honest, some of these signs were, I'm not sure of the Foam & Wash, but I have looked at a few of these signs and they have widened these roads there so the right-of-way --

MR. FENWICK: I realize that but I'm wondering, I'm speaking strictly of size, for instance I don't remember anybody from Hess coming in here and I'm sure that they are over.

MR. RICHTER: They have two I.D.'s, canopies.

MR. TORLEY: Freestanding signs.

MR. FENWICK: And I don't remember whether Pizza Hut did or did not but I'm more concerned about what's in that intersection.

MRS. BARNHART: They came in for a roof sign.

MR. FENWICK: None of these in the time period that I have been on this Board 16 years have I seen any of these people in there so we are going to just like we should do is take this on its merits, stand alone

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because if somebody takes out a complaint on these people, they have got every right to do that.

MR. RICHTER: The purpose of bringing that to your attention is that Mobil has to compete against these people and although many may consider from a zoning perspective that's not a sound argument, unfortunately it's a fact of life, we do have to compete with these people and Mobil has dumped a lot of money in this property and they'd like it competitive to the neighbors. We are not asking equal to these people, just single I.D. sign.

MR. TORLEY: And you are doing it legally.

MR. KONKOL: The existing Mobil sign now is illegal now so he's in the ballpark with the rest of them.

MR. RICHTER: From the setback perspective.

MR. BABCOCK: Again, they, I'm not sure whether they increased the right-of-way area or not. What happened was is that the right-of-way areas used to be there but it was a 60 foot right-of-way. When the signs were 10 and 15 and 20 feet off the pavement, they didn't look bad. Now, that they moved them back and put sidewalks and everything else, it made them really look like -- but I don't think any of the signs moved. I'm sure they have taken some property off Mobil here on the corner to make this turn.

MRS. BARNHART: They did.

MR. BABCOCK: As far as Mobil setback, I don't think it was that way.

MR. KONKOL: I'm referring to the area of Mobil's sign that's in excess right now of the code.

MR. RICHTER: Existing sign is very close to what we are proposing, we are not --

MR. KONKOL: But it's excessive right now.

MR. RICHTER: Correct, I believe it is.

MR. BABCOCK: You're allowed 40 square foot.

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MR. RICHTER: Twenty foot, I can safely say we are in excess of that right now.

MR. KONKOL: You're pointing out these signs that are in excess, you people are in excess already also.

MR. RICHTER: Correct.

MRS. BARNHART: Are any of these numbers going to change on this in view of the fact that they said they eliminated the snap-lock sign?

MR. BABCOCK: I think I changed that. I have a new plan an old plan, the new denial refers to the new plan.

MRS. BARNHART: Okay.

MR. LUCIA: The only change would be up to the Board if you want to consider those Pegasus discs on the facia as an additional sign, we probably should include the area and if you want to include the price signage over the pump, you should, that's really up to the Board, I just raised it because this new plan brings it out more clearly than the illustration we had previously.

MR. FENWICK: AS far as I'm concerned, that is just kind of pushing it as far as I'm concerned but it's up to the Members of the Board. It's neither nor there.

MR. TORLEY: That's architectural detail.

MR. FENWICK: I don't want to get picky into that. How much bigger is this sign that you're proposing at the corner than the sign that's existing now?

MR. RICHTER: If I was to estimate the existing square footage, I'd say it's approximately 40 square feet, each side so it's about 9 square feet larger. Which I'll show you a photo of the existing sign.

MR. BABCOCK: What he's saying existing sign is total 40, the one they are proposing is total of 49.5.

MR. TORLEY: Per side?

MR. BABCOCK: Per side.

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MR. RICHTER: Yes.

MR. FENWICK: Sign is 80?

MR. BABCOCK: Yes.

MR. RICHTER: This isn't real good shot but that shows the pricing of the Mobil sign and what the new sign would do is provide for symmetrical sign, I'm not quite as not full square but it's more of a symmetrical sign.

MR. TORLEY: Going to leave the same price up?

MR. RICHTER: Better bring it down.

MR. TORLEY: That's one question I have on the sign, this is going to be electronically changed sign for the pricing?

MR. RICHTER: No, they're going to, I believe you have to get in there and do it yourself.

MR. TORLEY: The only reason I was asking I was wondering if it was an electrical sign that changed, does that alter its requirements as far as the code?

MR. RICHTER: As far as blinking or anything?

MR. TORLEY: Yes.

MR. RICHTER: No, it will not be blinking.

MR. FENWICK: As far as changing the price?

MR. TORLEY: No, I mean instruction on we have neon signs, that sort of thing, I'm not sure electronically changed digits.

MR. LUCIA: Sign ordinance lumps that in with a sign with changeable sandwich board, things electronically changed signs.

MR. TORLEY: I wasn't opposed, I just wanted to make sure we wanted to cross all the t's.

MR. RICHTER: It's not bright or glaring in any way. With respect to the building mounted signs, I know Mr. Steinfeld touched on those last time. I'm not if that

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issue has been addressed satisfactorily with the Board.

MR. FENWICK: We're talking about the signs there, you're not proposing to change anything on the building now?

MR. RICHTER: Correct, everything that's out there right now is all we're asking for. The only thing that we're proposing is not out there is the P.O.S. signs which is the snap-lock on the westerly lamp post, freestanding and the three interior message units.

MR. BABCOCK: All the freestanding signs are not up.

MR. NUGENT: We need a little clarification.

MR. TANNER: Snap-lock sign that's not internal?

MR. RICHTER: No, the snap-lock that's the one that's going to be located here, that's the main I.D. and price sign.

MR. NUGENT: What do these look like?

MR. RICHTER: They are not there, what they are is you have got your light pole and it's about 2 1/2 feet wide and they actually snap on the center of the pole and they are about 6 feet high and they are just a rectangular sign next time you drive by a station, you'll see them.

MR. NUGENT: Are they lit?

MR. RICHTER: No, the down light from the lighting pole is the illumination.

MR. FENWICK: Same type of sign that's at the Union Avenue and Meadow Hill Road?

MR. RICHTER: I can't say for certain because I'm not familiar with that station but it's a very consistent industry standing with respect.

MR. FENWICK: I went out and looked out those, they are snapped onto a pole.

MR. TANNER: Snap on white letter with black background.

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MR. FENWICK: They were blue consistent with the signs, that wasn't too bad as long as I thought original proposal was bigger than when I went out and looked at the one on Temple Hill Road.

MR. RICHTER: I think that's a snap lock type of style and price and that is about consistent with the size, nonilluminated.

MR. FENWICK: Do you know how large that sign is going to be?

MR. RICHTER: It's 21.4 square feet.

MR. FENWICK: Per side?

MR. RICHTER: So 42.8?

MR. TORLEY: Is it really going to be visible from both sides?

MR. RICHTER: It's a double sided sign, what it is it's filled with seasonal marketing information that will be placed on both sides. It's simply inserted as I mentioned the illumination is provided by the downlight from that proposed, actually proposed or existing.

MR. BABCOCK: The lights are existing.

MR. TORLEY: Station itself looks very nice.

MR. RICHTER: Mobil is very proud of the station. I know the engineer, it's one of his best accomplishments and once again, it wasn't inexpensive and they are hurting for a sign.

MR. TORLEY: Are these P.O.S. signs a common feature at gas stations now?

MR. RICHTER: Yes, they are. A lot of stations have them as a temporary measure where they'll just bring them out during the day, when the zoning officer comes, they pull them inside so --

MRS. BARNHART: Like the ones on wheels.

MR. FENWICK: What town has this?

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MR. RICHTER: We're trying to make this legitimate and they are common feature. I'm sure we have all seen gas stations aren't very scrupulous with respect to the sign put on the curb out on the street anywhere they want, it's where they want to put them so they don't have to bother with any of the seasonal or short term aspects, provides a nice out of the way location where markets only those vehicles in the fueling position and does not confuse the driver anymore than he already is at that intersection with seasonal marketing.

MR. TANNER: The only sign that I have any problem with is this snap lock over here. I think anybody coming down 94 is going to be able to see it's a Mobil station in plenty of time to make a turn or whatever. I just don't really agree with the justification for that sign. I think there's more than enough signs on the property without adding that one, personally.

MR. RICHTER: Once again, our main thought on that one is the orientation of the sign trying to get something orientated north/south as opposed to east/west so that --

MR. TANNER: You really have this on the canopy right here?

MR. TORLEY: That's visible along, way off.

MR. BABCOCK: This snap-lock sign is not Mobil sign though, is it, it's a price sign.

MR. RICHTER: It's whatever they want to put in there, it can be seasonal marketing tool where they'll -- I've seen some that have when they went through the detergent marketing, detergent gasoline marketing they have seen a lot of those, I have seen them with pricing, I have seen them with --

MR. TORLEY: Antifreeze?

MR. RICHTER: Exactly or when they have some kind of game or give away type of thing, they try to market the car wash with that sign.

MR. TORLEY: I'll say that the car wash is not visible as such for any great distance.

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MR. RICHTER: There will be a car wash and similarly a sign on the I.D. to market that but it's a small sign and the car wash is a relatively small structure as you know and is well hidden behind the existing canopy and structure so --

MR. FENWICK: At least, I'll say you have covered all the basis, like you spoke before people will put anything out there at any time and if you are restricting it simply to what you're showing us here, it's not to much of a problem as far as I'm concerned.

MR. TORLEY: I was glad to see you removed the other snap on sign on 32. That was to my mind that was getting really excessive.

MR. KONKOL: I agree with Ted that should be eliminated and also should the one on 94 be eliminated.

MR. TORLEY: Well, if they orient the main sign then you really have no other information of the existence of a Mobil station on 94.

MR. RICHTER: There's a good possibility they'll go for a pricing sign there only, this is, it's a competitive intersection, you have got two other stations at the intersection, pricing is going to govern probably 40 to 50% of the driver's decision on what station they'll pull into.

MR. TANNER: I just don't feel this isn't going to hurt their business greatly, if we can eliminate a sign at Vails Gate, I think we're doing the community a lot of good. There's just so many signs there now.

MR. TORLEY: I'd like to work on some of the signs where the owners have not bothered to come and try and comply with the law.

MR. FENWICK: It appears to me that the Mobil that is there now has been orientated to pick up every direction with being on a diagonal.

MR. KONKOL: Correct.

MR. FENWICK: You can see it from every direction. To tell you the truth, I'm glad you got rid of the sign on

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the 32 side but if anybody was going to cause an accident, that's the one that is going to cause accident is the 32 side because they are not, they are in the left lane and if they decide to change their mind, they are going to cause an accident. The one in the right lane they are on the right side, I think they can slow down and make a couple of shots in there if they decide to go, they can go right around the corner and come in. I think one of things we are looking at except for the competition across the street, which one of their signs is completely blocked off by the neighbor anyway everybody you're showing us a single sign, we're looking at a single Pizza Hut, single Foam & Wash, single Dairy Mart, single Dunkin Donuts, not single Hess but again what Hess has isn't legal.

MR. TORLEY: None of them are.

MR. FENWICK: At least they are down to single signs. Everybody has single signs except Hess. Like I said, the Hess sign if you are coming down 32 is blocked off for the last minute by the baseball card place anyway so you can't see the sign anyway. I don't know why this, they went on the corner and orientated a sign on a diagonal, you couldn't read that in any direction.

MR. RICHTER: See here's a, the Hess station does have a snap lock in the interior, I don't know if you want to see what it looks like, yellow sign in there, it's kind of tough to see.

MR. TANNER: I know what you mean.

MR. TORLEY: If the Dunkin Donuts goes for another sign, you won't be able to see the two signs, one blocks each other out.

MR. LUCIA: Unless they went to the other drive.

MR. RICHTER: We do have double frontage some of the other, Foam & Wash does have single frontage, I believe.

MR. BABCOCK: No, they have double frontage.

MR. RICHTER: The side street that connects.

MR. BABCOCK: That is the main entrance to the car

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wash.

MR. TANNER: There's a lot of traffic already.

MR. BABCOCK: You have to go through Temple Hill by Perkins and into the car wash.

MR. TORLEY: As the Chairman said, the sign on 94 doesn't bother me. If I were on the right-hand side, I think that you would not, you're not going to detract from the cause of accidents on that one. I'm just to tell you the truth still grateful that people are coming in to try and comply with the law.

MR. FENWICK: Again, the fact that they applied doesn't given them an automatic yes.

MR. TORLEY: Oh, no.

MR. RICHTER: I think we have shown a good faith effort to try and take into consideration your requests. I'm certainly willing to work with you until this gets resolved. By no means is what we have said in stone. If you have any very strong feelings, I'll of course go back to Mobil and try to --

MR. KONKOL: I think the signs there is sufficient right now as it's stated at the last meeting and I think you have to draw a line someplace that you're going to keep adding on and adding on. Everybody knows there a Mobil station, I've known it's been there for X number of years, it's visible, I don't just because Mobil wants it to conform to their policies and their type of new signs, I don't think that this Board should conform along with it. I think it's adequate now let's not junk it up anymore.

MR. NUGENT: The other thing is that I think that each one should be done on it's own merit. There's five actually there's five parts of this variance and I think each one should be done individually.

MR. FENWICK: I think that's just what I was going to say. We can deal with that again the one that is at the corner I don't have to much of a problem with. If you're going to change that to modernize or upgrade your standard to your standard sign, correct?

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MR. NUGENT: The big one in the front?

MR. FENWICK: Correct. That takes a little orientation, if you're going to put it where I'd like to see it but the other three signs we're speaking about is the signs between the pumps, is that correct?

MR. BABCOCK: Yes.

MR. FENWICK: So, these are the two freestanding with the one outer part and then the three in the middle between the pumps, okay.

MR. RICHTER: Maybe we should address each one so I can get a better feeling as far as where we stand with respect to the freestanding sign. Is everybody happy with this location?

MR. TORLEY: Which one?

MR. RICHTER: The I.D. and price sign. Once again --

MR. TANNER: I don't have a problem.

MR. RICHTER: We are replacing what is out there, we just want to modernize the sign. You know modernization is marketing, they want a modern image. The older sign is associated with the 70's and 80's type of facility.

MR. FENWICK: I myself have no problem with the signs that are between the pumps, I mean I'm glad you're in here for those. Nobody else does but that's no problem there. I think the problem you'll find across the board is the problem of that one additional sign at the entrance off of 94.

MR. TORLEY: Although, each of these are to be considered individually, when it comes to a public hearing, each group of them. We should vote that way.

MR. FENWICK: That's correct.

MR. LUCIA: You were not at the prior public hearing at that one, the end result was I think just as you're getting into it the representatives had a chance to react to the collective conscience of the Board on the signs and you have ameliorated the impact by

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eliminating one sign. At this point, I have to tell you you have a choice. You have an absolute right to proceed to a public hearing with the proposal you presented tonight. Should you choose to do that and the Board will consider it and vote on it at that point. On the other hand, if you want to go back to Corporate Headquarters and just review with them the Board's reaction to this revised proposal, possibly come back in, you have that choice also. That is up to you.

MR. TORLEY: If I could make a suggestion, assuming we went with the plans before us now, would we consider them as Sign Number 1 as the main freestanding sign, Sign Number 2 are the ones between the pumps and Sign Number 3 would be the snap on?

MR. BABCOCK: I think you're looking at this application, it's --

MR. TORLEY: Can we divide them up?

MR. BABCOCK: What you should do is tell the gentleman what you think and get that rationed out before we go that far.

MR. TANNER: I'd like to see a proposal as individual signs, I would not vote to approve it as it is now, if you lumped them all together.

MR. RICHTER: The way the zoning denial is based on each one of those interior signs count as an individual sign and we have five signs so this would be 2, 3, 4, 5 so they are consider individual signs at this time.

MR. LUCIA: The way the denial is worded, I think you can let that stand. Should you chose to eliminate a sign then you'd just grant the variance for something less than he's seeking based on square footage and/or number of signs so you always have a right to consider them individually but the denial adequately reflects what the applicant has submitted on the proposal. You always have the flexibility to grant a minimum variance so if you feel that his application seeks more than the minimum, you certainly can cut him down. The advantage to the applicant if he feels that there is a different way to ameliorating the suggestion let's say he's going to take out the freestanding sign on Route 94 and

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possibly put in a V-shaped sign at the intersection so as to cover all three possible roads that might be an alternative that the applicant might want to consider rather than having the Route 94 sign cut out entirely and being left with a single sign at the Five Corners that doesn't give him the coverage that he likes. So if you really as a Board collectively have concerns with Route 94 sign, maybe the applicant wants to see if there's a different way of positioning the signs on the corner to give him coverage on three separate roadways.

MR. RICHTER: I appreciate your advise. Mobil, we have gone over the sign package a couple of times, they are very happy with what is on the plan now. I still haven't gotten short of a straw pole on that sign on 94. I have got a couple yeses and a couple no's.

MR. FENWICK: I can give you my opinion is no, I think that's probably the feeling of the Board. You're welcome to get what their feeling is. Basically speaking, possibly what the attorney says if you'd like to beef up the sign at the corner that may be something to look at. We were just speaking here aside about putting your promotional information in the main sign, probably wouldn't have to much of a problem with that either.

MR. RICHTER: Maybe we'll look at slightly larger size encroaches further into the right-of-way so we're stuck with the size but we'll look at putting another ancillary sign below it. As you said, I'll get back to Mobil and we'll decide if for some reason they are absolutely adamant about it, we'll appear before the public hearing.

MR. NUGENT: I think we should set him up for a public hearing tonight.

MR. FENWICK: As far as if we're looking at square footage, I don't know what the Members of the Board feel about this one at the corner, whether to increase the square footage on the one in the corner not particularly with size but maybe a little more information, putting a little more information on that sign other than what is there and possibly filling in the slot underneath. You know down underneath where it says wash or whatever.

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MR. RICHTER: They do have another ancillary sign that says shop or Mobil Mart to try to advertise.

MR. NUGENT: This square footage I'm looking on Page 1 of the drawing under 162.4 that's half of what they're looking for actually is 320 square feet.

MR. FENWICK: Is that correct, Mike.

MR. BABCOCK: No.

MR. RICHTER: This will double.

MR. BABCOCK: They are looking to put up 202.4 square feet and they are allowed 40, that means they need a variance of 162.4. It's everything is doubled.

MR. NUGENT: Just bear with me one second. The main freestanding sign, the Number 1 is 49.5 square feet per side?

MR. BABCOCK: Yes.

MR. NUGENT: That is 98 square feet, matter of fact 99 square feet, that only says 49 square feet right here.

MR. TORLEY: You can double the freestanding sign area.

MR. BABCOCK: I'm not sure who wrote what you're looking at.

MR. RICHTER: Double the total so we, what we did is we took single side and all sides and square footage which is a total of 101, someone doubled it for you.

MR. NUGENT: You didn't do it, somebody else did it?

MR. BABCOCK: They have a total of 101.2, one sided.

MR. NUGENT: Somebody made it 202.2, I don't know who wrote it.

MR. BABCOCK: I think that's the old map.

MR. NUGENT: We have to include the signs that's on the building already.

MR. BABCOCK: That's wall signs, freestanding and wall

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signs are two different ones. Pass them over a denial.

MR. TORLEY: Snap lock you have to double that area.

MR. BABCOCK: They are allowed 80 square feet of sign wall area and they are putting, they have installed now 116.4. They're looking for a variance from that of 36.4. That's for the wall signs. Now, of course, we didn't include what we talked about tonight some of the prices on the top of the pumps and stuff that's there that's excluded from that.

MR. NUGENT: We're looking for 198 square feet.

MR. BABCOCK: Total, yes, 162.4 freestanding and 36.4 wall.

MR. FENWICK: But the law actually has specific categories for wall signs and freestanding signs.

MR. NUGENT: Total variance is going to be 198 square feet.

MR. RICHTER: In defense of Mobil, and this is just I guess cause they are a gas station, the ordinance is not very favorable to gas station type of signage.

MR. FENWICK: It's not favorable to any signage, believe me.

MR. TORLEY: If you were distressed over a sign ordinance, you're not alone.

MR. RICHTER: It's a tough ordinance, double sided thing gets you in a lot of trouble.

MR. FENWICK: It's more orientated for other stores than yours, I mean it's approximately the same size in effect for a store like Caldors.

MR. RICHTER: The Waldbaum's sign on 300 there is pretty small sign.

MR. TANNER: When the horse and buggy went by, they can read the sign fine.

MR. TORLEY: Would you like a motion for public hearing at this point?

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MR. FENWICK: I believe so, if you would like to set it up for public hearing, we'll do that.

MR. RICHTER: We would appreciate that.

MR. FENWICK: I think if we were presented with any at the time of the public hearing, if we were presented with any kind of change on the big sign, that wouldn't be a major situation. I'm sure we can address it at that time without a problem.

MR. LUCIA: The only problem I see is that we need a notice of denial from Mike specifically on the application that's presented at the public hearing. If there's a change and you can get it to Mike and he can revise it as long as you're not seeking more than what is on this plan in terms of square footage, number of signs or any other variance put on there, I don't see a problem with that because the public notice will advise the public whatever you're seeking whatever 200 square feet gross or something if you're actually coming in for 190, you don't, I don't see a problem with that.

MR. RICHTER: It will be less.

MR. TORLEY: I move we set them up for a public hearing.

MR. TANNER: I'll second it.

ROLL CALL:

Mr. Torley	Aye
Mr. Konkol	Aye
Mr. Tanner	Aye
Mr. Nugent	Aye
Mr. Fenwick	Aye

MR. RICHTER: Do you have a date for that?

MR. LUCIA: It's going to depend on when you return the application and then the secretary will give you --

MRS. BARNHART: Give me a call.

MR. LUCIA: If you're going to revise the plan, I

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suggest once you get it revised, get it to the Building Inspector and he can amend his notice of denial if that's necessary.

But also when you come back for the public hearing, since these are in the nature of area variances, the standard the Board has to consider the benefit to the application if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood and community by such a grant. Board has to consider five specific factors in making that determination.

First is whether undesirable change will be produced in the character of the neighborhood or detriment to the nearby properties by the granting of the area variance.

Second, benefits sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than a variance.

Number 3 whether the requested variance is substantial and number four with regard to substantial I think you have already met the presentation on the neighbors so just expand on that at the public hearing.

Number 4, whether the proposed variance will have an adverse effect or impact on the physical environmental conditions of the neighborhood or district and fifth whether the difficulty was self-created.

Also, we're going to need a county referral on this and when you submit your application, we'll need two checks to the Town of New Windsor, one for \$150 and one for, that's the application fee and a second one for \$250 as a deposit against town consultant review fees and various other disbursements the town incurs in connection with the application.

At the first preliminary, we had somebody here from Mobil. If there's somebody coming back at the public hearing, if not we'll need a proxy from somebody at the corporate headquarters authorizing you to represent them.

MR. RICHTER: Mr. Hughes will be here.

MR. FENWICK: At that time, if in fact one of the

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applications if you decide to keep going with that sign on 94, we do not have a rendering of that sign, we'd like to see something of that sign anyway and also the ones against the pumps if you can give us some kind of an idea in the way of a photo from the other stations, not exactly but an idea of what we're looking for for the file.

MR. LUCIA: If you already submitted a deed and title policy which is fine if we don't have it in the file just bring some photographs of the site also, please.

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

92-25

Date: 09/09/92

I. Applicant Information:

- (a) MOBIL OIL CORP., P. O. Box 290, Dallas, TX 75221 x
(Name, address and phone of Applicant) (Owner)
- (b) -
(Name, address and phone of purchaser or lessee)
- (c) -
(Name, address and phone of attorney)
- (d) BOHLER ENGINEERING, 786 Mountain Blvd., Watchung, N.J. 07060
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☒ Sign Variance
- ☐ Area Variance ☐ Interpretation

III. Property Information:

- (a) C Route 94/32, Vails Gate Five Corners 69-4-26.2 202 x 197
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? None
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? 12/66
- (e) Has property been subdivided previously? N/A
- (f) Has property been subject of variance previously? Yes
If so, when? 1991
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A
- _____

_____.

IV. Use Variance. n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow: _____
(Describe proposal) _____
- _____

_____.

(b) ^{n/a} The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. Area variance: ^{n/a}

(a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. _____	_____	_____
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

(b) ^{n/a} The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.

VI. Sign Variance:

(a) Variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. N.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign	One	Five	Four
Free-standing	40 s.f.	202.4 s.f.	162.4 s.f.
Height	15 ft.	13.2 ft.	
Wall signs	80 s.f.	116.4 s.f.	36.4 s.f.
Feet from any lot line:	15 ft.	2 ft.	13 ft. - Sign #1
	15 ft.	.8 f	14.2 ft. - Sign #2

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

Existing building mounted signs: 2 "Mobil" Canopy legends
1 "Mobil Mart" Building legend
2 Pegasus Disk Logos
1 Carwash legend
1 Snaplock sign

Proposed free-standing signs: 1 "Mobil" I.D./Price/Carwash sign
1 Yard light P.O.S. sign-mounted on pole
3 P.O.S. signs

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?
318.8 sq. ft.

VII. Interpretation. n/a

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See annexed addendum)

IX. Attachments required:

- ☒ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☒ Copy of tax map showing adjacent properties.
- ☐ n/a Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☒ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$150.00 and the second check in the amount of \$250.00, each payable to the TOWN OF NEW WINDSOR.
- ☒ Photographs of existing premises from several angles.

X. Affidavit.

Date: September 14, 1992

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

(Applicant)
MOBIL OIL CORPORATION
By:

Sworn to before me this

____ day of _____, 19____.

XI. ZBA Action:

(a) Public Hearing date: _____.

(b) Variance: Granted (☐) Denied (☐)

(c) Restrictions or conditions: _____

_____.

NOTE: A FORMAL DECISION WILL FOLLOW UPON RECEIPT OF THE PUBLIC HEARING MINUTES WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS AT A LATER DATE.

(ZBA DISK#7-080991.AP)

Applicant recently refurbished its operation located at the intersection of Routes 94 and 32 known as Five Corners in Vails Gate. The location now boasts a car wash and Mobil Mart, relatively new installments for this location.

Applicant feels that a new operation requires new signage. The signage that is proposed by applicant is consistent with what Mobil has done in this geographical region as well as throughout the United States and is considered to be a standard signage package for this type of location. The signage is comprised of free-standing signage and main identification signs, plus secondary signage known as POS or a snaplock which will be utilized for pricing information, plus the pegasus logo disks that are located on either side of the Mobil Mart. Secondary pricing signs on the side street are typically located in close proximity to the property line with the intention of allowing the bypass customer to be aware of the current pricing without obscuring or inhibiting any sight visibility or causing traffic hazards.

Applicant feels that by completely renovating the location with modern and efficient equipment, including a car wash facility and mart, that a desirable change would be produced in the character of the neighborhood and no detriment would be caused to the nearby properties.

Applicant has reviewed the sign regulations in the C zoning district and realizes that 40 square ft. is permitted for a free-standing sign and 80 square ft. is permitted for a building sign. Also, not more than one free-standing sign is permitted and the free-standing sign must be 15 ft. from any lot line. Considering applicant's sign package which is a standard sign package, applicant feels that it cannot achieve this without the benefit of the variance procedure and that there is no other method which is feasible to applicant other than the variance procedure. Applicant presented photographs of other signs which are located in the Vails Gate, Five Corners area of town. A good percentage of the signs which are located in this area are positioned right on the property line with no allowance for the 15 ft. setback and the area of the signs in question far exceed the legal limit in the bulk regulations for the Town of New Windsor.

Applicant is seeking a sufficient number of sign variances on a large piece of commercial property located at an extremely busy intersection. Identification, pricing and merchandising signs are imperative for today's competitive market and for this reason applicant feels that this request is not substantial.

Applicant feels that the granting of the variances will not be detrimental to the health, safety or welfare of the neighborhood or community or have an adverse effect on the physical or environmental conditions since the property is zoned for commercial businesses of this type.

Applicant must adhere to the corporate signage which is in general use for marketing of the product in the industry and it is not outside customary practice to promote the product in this manner and therefore applicant feels that this is not a self-created hardship.



MARY MCPHILLIPS
County Executive

Rec'd. 10/16/92
ZBA. (PAB)

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

PETER GARRISON Commissioner
VINCENT HAMMOND Deputy Commissioner

**ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report**

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor

D P & D Reference No. NWT 30 92 M

Applicant Mobil Oil Corp.

County I.D. No. 69 / 4 / 26.2

Proposed Action: Area Variance - signage

State, County, Inter-Municipal Basis for 239 Review Within 500' of NYS Hwy. 94 & 300

Comments: There are no significant Inter-community or Countywide concerns to bring to your attention.

Related Reviews and Permits _____

County Action: Local Determination XX Disapproved _____ Approved _____

Approved subject to the following modifications and/or conditions: _____

9/30/92

Date

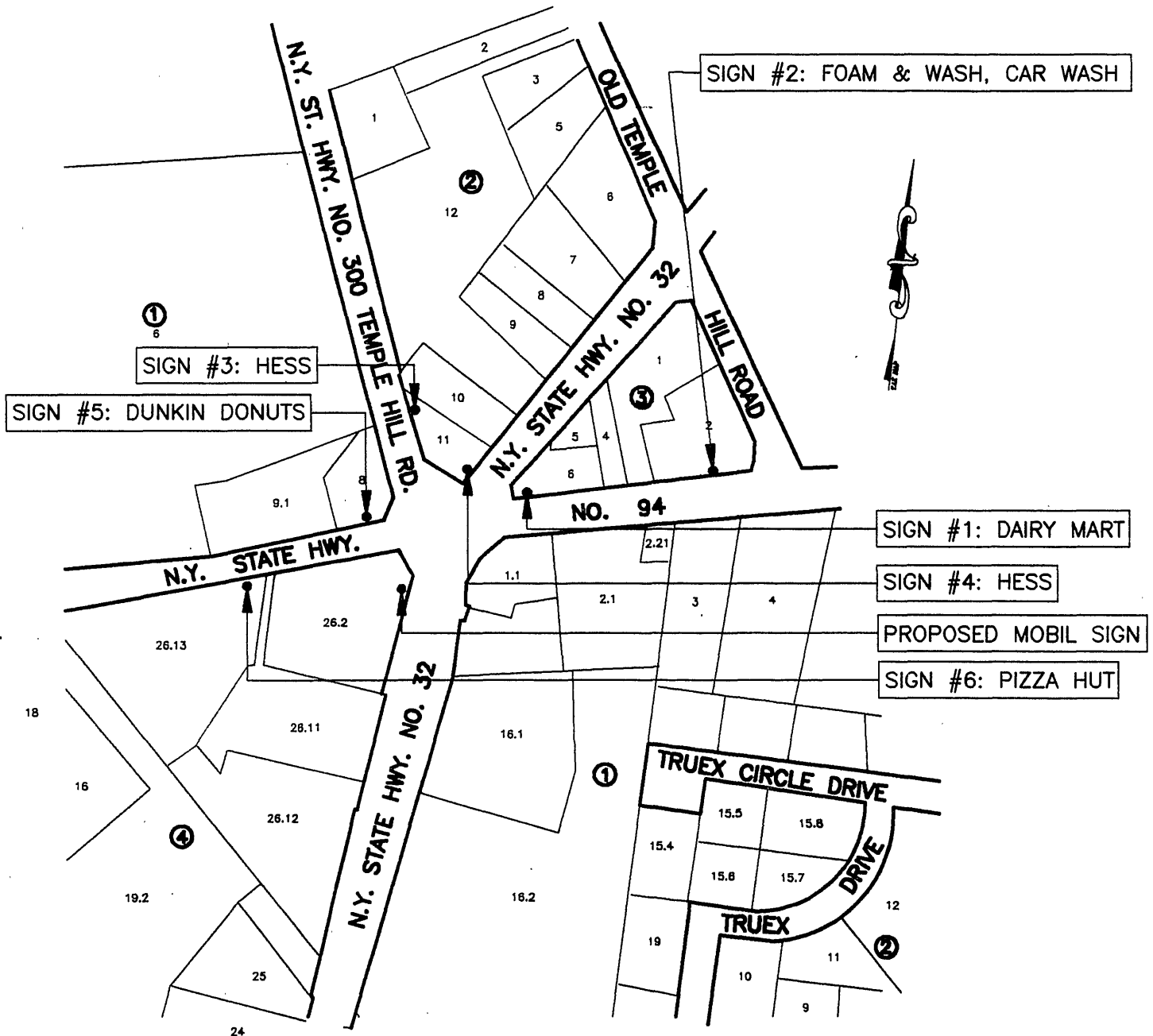
BOHLER ENGINEERING, INC.

Professional Engineering Services

Branch Office:
40 East Merrick Road
Vally Stream, New York 11581
Telephone (516)872-2000

Main Office:
786 Mountain Boulevard
Watchung, New Jersey 07060
Telephone (908)668-8300
Telefax (908) 754-4401

Branch Office:
29 Main Street
Mainland, Pennsylvania 19451
Telephone (215)256-1100



SIGN LOCATION MAP

N.T.S.

SIGN SUMMARY

<u>SIGN</u>	<u>TOTAL SIZE (SF)</u>	<u>SETBACK TO CURB</u>	<u>ESTIMATED OFFSET TO R.O.W.</u>
1) Dairy Mart	35 SF	5'	0'
2) Foam & Wash Car Wash	35 SF	10'	0'
3) Hess (west sign)	56.5 SF	7'	0'
4) Hess (east sign)	56.5 SF	7'	0'
5) Dunkin Donuts	72 SF	6'	0'
6) Pizza Hut	36 SF	16'	6'
7) Mobil	49.5'	7'	2'



SIGN #1: DAIRY MART SIGN

SIZE: 2 x 10 ID + 3'x 5' PRICE

TOTAL AREA = 35 S.F.

SETBACK TO CURB FACE = 5'

ESTIMATED OFFSET TO R.O.W. = 0'



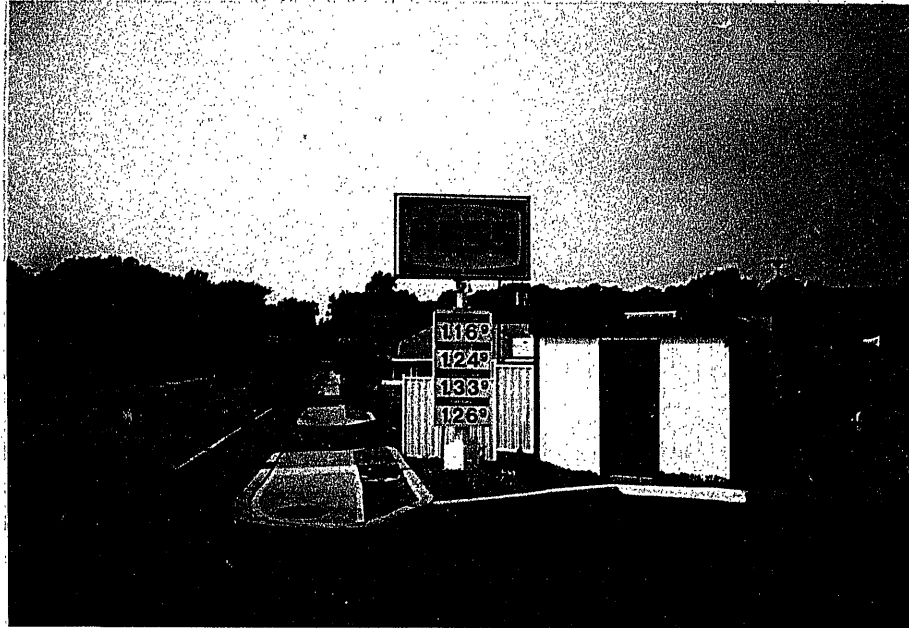
SIGN #2: FOAM & WASH CAR WASH SIGN

SIZE: 7' x 5'

TOTAL AREA = 35 S.F.

SETBACK TO CURB = \pm 10'

ESTIMATED OFFSET TO R.O.W. = 0'



SIGN #3: HESS SERVICE STATION (WEST SIGN)

SIZE: 4' x 8' ID + 3.5'x 7' PRICE

TOTAL AREA = 56.5 S.F.

SETBACK TO CURB = 7'

ESTIMATED OFFSET TO R.O.W. = 0'



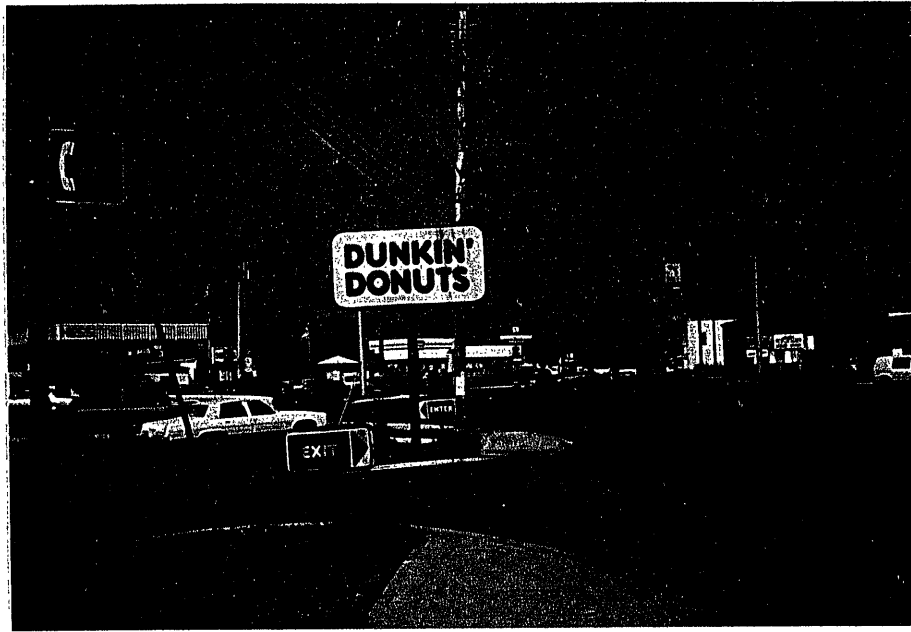
SIGN #4: HESS SERVICE STATION (EAST SIGN)

SIZE: 4' x 8' I.D. + 3.5' x 7' PRICE

TOTAL AREA = 56.5 S.F.

SETBACK TO CURB = 7'

ESTIMATED OFFSET TO R.O.W. = 0'



SIGN #5: DUNKIN DONUTS

SIZE: 6' x 12'

TOTAL AREA = 72 S.F.

SETBACK TO CURB = 6'

ESTIMATED OFFSET TO R.O.W. = 0'



SIGN #6: PIZZA HUT

SIZE: 6' x 6'

TOTAL AREA = 36 S.F.

SETBACK TO CURB = 16'

ESTIMATED OFFSET TO R.O.W. = 6'

10/5/92 Public Hearing - Mobil Oil Corp.

Name:

Gregory J. Shaw, P.E.

PATRICK SECCHIAROLI

TOM FLORIO

Address:

744 Broadway, Newburgh

23 VAN VLAACK RD, HOPESWELL

150-88 OLD RT 9W NEW WINDSOR

Herbert Slepoy Corporation

Real Estate

Herbert Slepoy
Andrew T. Slepoy
William J. Slepoy

104 South Central Avenue, Rm. 20
Valley Stream, New York 11580-5461
(516) 872-9572
Fax (516) 872-8408

October 2, 1992

Zoning Board of Appeal
55 Union Avenue
New Windsor, New York 12553

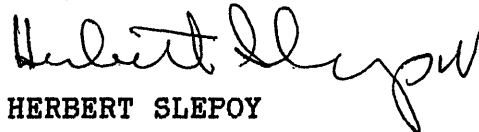
Gentlemen:

Since the Mobil Oil Company decided to rebuild the service station at Routes 32 and 94, my concern as an adjoining owner (Pizza Hut, Rte. 94) has always been that our visibility from the corner of Routes 94 and 32 would be reduced to a point where we have limited rights to visibility. Mobil Oil had requested and was allowed to build a car wash building of approximately 50 feet in length, and an equipment building 20 feet long, leaving a small unobstructed view from the corner of Routes 94 and 32.

Now, Mobil Oil is again asking to further reduce the unobstructed visibility by requesting a 3 1/2 foot wide and 6 foot high gasoline price sign attached to a light pole which is set back only 7 feet from the property line. You can understand why I am concerned and therefore am requesting that the Board reject the gasoline price sign on Route 94 being requested to be attached to a light pole at the rear of the station in a 7 foot set back. There will be a total of 15 signs that Mobil Oil will have on the station to denote prices, name of oil company, listing of services offered, etc. My thought is if they have one less sign for a total of 14 signs, that Mobil would survive without having to steal irreplaceable visibility from a neighboring property owner.

Therefore, I am writing in the hope the Board will understand and consider my small request.

Very truly yours,


HERBERT SLEPOY

BOHLER ENGINEERING, INC.

CIVIL & CONSULTING ENGINEERS ■ PROJECT MANAGERS ■ ENVIRONMENTAL & SITE PLANNERS ■ MUNICIPAL ENGINEERS

29 Main Street
Mainland, Pennsylvania 19451
(215) 256-1100

786 Mountain Boulevard
Watchung, New Jersey 07060
(908) 668-8300
Telefax (908) 754-4401

40 East Merrick Road
Valley Stream, New York 11581
(516) 872-2000

Rec'd 9/23/92
T/A

September 18, 1992

Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

ATTENTION: Patricia A. Barnhart

RE: Mobil Oil Corporation
SS #06-N2X
Route 94, Section 69
Block 4, Lot 26.2
Town of New Windsor, New York
Our File No: N92096

Dear Ms. Barnhart:

Enclosed please find the following information with respect to the above referenced project:

1. A check in the amount of \$250, made payable to the Town of New Windsor, to cover review escrow fees.
2. A check in the amount of \$150, made payable to the Town of New Windsor, for the sign application fee.

We trust these items complete our application and look forward to presenting same before the Zoning Board on October 5, 1992.

Very truly yours,

BOHLER ENGINEERING, INC.



Christopher Richter, P.E., P.P.

CKR/lk
Enclosures
cc: Gary E. Hughes

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Variance of

Mobil Oil Corp.

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

#92-25.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On Sept. 24, 1992, I compared the 28 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Patricia A. Barnhart

Sworn to before me this
28th day of September, 1992.

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1993

(TA DOCDISK#7-030586.AOS)

OFFICE OF THE BUILDING INSPECTOR - TOWN OF NEW WINDSOR
ORANGE COUNTY, NY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: AUGUST 10, 1992

APPLICANT: MOBIL OIL CORPORATION
ROUTE 94, VAILS GATE
NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: JULY 25, 1992

FOR (BUILDING PERMIT) TO INSTALL SEVEN (7) BUILDING SIGN AND FIVE
(5) FREE STANDING SIGNS.

LOCATED AT: ROUTE 94

ZONE "C"

DESCRIPTION OF EXISTING SITE: SEC: 69 BLOCK: 4 LOT: 26.2

IS DISAPPROVED ON THE FOLLOWING GROUNDS: TOTAL BUILDING SIGNS NOT
TO EXCEED 80 SQ.FT. AND NOT MORE THAN ONE FREE STANDING SIGN
PERMITTED. FREE STANDING SIGN NOT TO EXCEE 40 SQ.FT. SIGN MUST
BE 15FT. FROM ANY LOT LINE.


BUILDING INSPECTOR

REVISED 9-1-92

PERMITTED	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE "C"	USE	REVISED AUGUST 18, 1992
SIGN	ONE	FIVE
FREE STANDING	40 SQ.FT.	202.4 SQ.FT.
HEIGHT	15FT.	13FT. 2IN.
WALL SIGNS	80 SQ.FT.	116.4 SQ.FT.
TOTAL ALL SIGNS		36.4 SQ.FT.
FEET FROM ANY LOT LINE	15FT.	
SIGN #1	2FT.	13FT.
SIGN #2	.8FT.	14.2FT.

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT.

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: AUGUST 10, 1992

APPLICANT: MOBIL OIL CORPORATION
 ROUTE 94, VAILS GATE
 NEW WINDSOR, N.Y. 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: JULY 25, 1992

FOR (BUILDING PERMIT) TO INSTALL SEVEN (7) BUILDING SIGN AND FIVE
 (5) FREE STANDING SIGNS.

LOCATED AT: ROUTE 94

ZONE "C"

DESCRIPTION OF EXISTING SITE: SEC: 69 BLOCK: 4 LOT: 26.2

IS DISAPPROVED ON THE FOLLOWING GROUNDS: TOTAL BUILDING SIGNS NOT
 TO EXCEED 80 SQ.FT. AND NOT MORE THAN ONE FREE STANDING SIGN
 PERMITTED. FREE STANDING SIGN NOT TO EXCEE 40 SQ.FT. SIGN MUST
 BE 15FT. FROM ANY LOT LINE.


 BUILDING INSPECTOR

REVISED 9-1-92

PERMITTED	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE "C"	USE	REVISED AUGUST 18, 1992
SIGN	ONE	FIVE
FREE STANDING	40 SQ.FT.	202.4 SQ.FT.
HEIGHT	15FT.	13FT. 2IN.
WALL SIGNS	80 SQ.FT.	116.4 SQ.FT.
TOTAL ALL SIGNS		
FEET FROM ANY LOT LINE	15FT.	
	SIGN #1	2FT.
	SIGN #2	.8FT.
		13FT.
		14.2FT.

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
 914-563-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD OF
 APPEALS.

CC: Z.B.A., APPLICANT B.P. FILE

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION

(Variances, Zone Changes, Special Permits, Subdivisions, Site Plans)

Local File No. 92-25.

1. Municipality Town of New Windsor Public Hearing Date 10/5/92.
☐ City, Town or Village Board ☐ Planning Board ☒ Zoning Board

2. Owner: Name Mobil Oil Corp.
Address _____

3. Applicant*: Name (Same)
Address _____

* If Applicant is owner, leave blank

4. Location of Site: 5 Corners - Vails Gate - Rt. 94 & 300.
(street or highway, plus nearest intersection)

Tax Map Identification: Section 69 Block 4 Lot 26.2

Present Zoning District C Size of Parcel 202 x 197

5. Type of Review:

Special Permit: _____

Variance: Use _____

Area - Sign - See attached application.

Zone Change: From _____ To _____

Zoning Amendment: To Section _____

Subdivision: Number of Lots/Units _____

Site Plan: Use _____

9/17/92.

Date

Patricia A. Banhart, Secy.
Signature and Title

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

Appeal No. 25

Request of MOBIL OIL CORPORATION

for a VARIANCE of

the regulations of the Zoning Local Law to

permit building wall and free-standing signs with more than the allowable sign area and less than the allowable set back from road;

being a VARIANCE of

Section 48-12 - Table of Use/Bulk Regs., Col. N

for property situated as follows:

Intersection of Routes 94 and 32, Five Corners,

Vails Gate, N.Y., known and designated as tax map

Section 69 - Block 4 - Lot 26.2.

SAID HEARING will take place on the 5th day of
October,, 1992, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

RICHARD FENWICK
Chairman

LIBER 1759 PG 498

This Indenture,

Made the 14th day of December, Nineteen Hundred and Sixty-six,

Between EDWARD J. DOWNEY and MARY G. DOWNEY, both residing at Route 94 (no number), Salisbury Mills, New York, and CATHERINE F. Downey residing at 246 Liberty Street, Newburgh, New York,
as Executors under the last Will and Testament of

MARY G. DOWNEY,
late of the City of Newburgh, County of Orange, State of New York,

, deceased, parties of the first part,
MOBIL OIL CORPORATION, formerly named
and / SOCONY MOBIL OIL COMPANY, INC., a New York Corporation, ~~xxxxxxxx~~
~~office xxxxxxxx Washington xxxxxxxx New York~~ having its principal
office and place of business at 150 East 42nd Street, Borough of
Manhattan, City, County and State of New York,

, part Y of the second part:

Witnesseth, That the parties of the first part, by virtue of the power and authority to them given in and by said last Will and Testament, and in consideration of ONE HUNDRED TWENTY-FIVE THOUSAND - - - - (\$125,000.00) - - - - Dollars,
lawful money of the United States,

part, do hereby grant and release unto the part Y of the second part,
its successors and assigns forever,

PARCEL I

All that certain lot, piece or parcel of land with the buildings thereon, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, and more particularly bounded and described as follows:-

BEGINNING at a point formed by the intersection of the northerly line of lands owned by the City of New York and used for an aqueduct with the westerly line of New York State Route 32, and running thence North 39° 13' West 156.32 feet; thence North 50° 47' East 60 feet; thence North 39° 13' West 250 feet; thence South 50° 47' West 60 feet; thence North 39° 13' West 263.30 feet; thence North 4° 06' 30" West 52.07 feet; thence North 77° 20' East 544.06 feet; thence South 29° 50' East 54.10 feet; thence South 12° 04' West 318.10 feet; thence South

One hundred and Sixty-six,

day of December

Nineteen

Between EDWARD J. DOWNEY and MARY G. DOWNEY, both residing at Route 94 (no number), Salisbury Mills, New York, and CATHERINE F. Downey residing at 246 Liberty Street, Newburgh, New York,

as Executors

under the last Will and Testament of

MARY G. DOWNEY,

late of the City of Newburgh, County of Orange, State of New York,

, deceased, parties of the first part, MOBIL OIL CORPORATION, formerly named and / SOCONY MOBIL OIL COMPANY, INC., a New York Corporation, ~~with xxxxxx~~

~~office xxxxxx 162 xxxxxx xxxxxx xxxxxx New York~~ having its principal office and place of business at 150 East 42nd Street, Borough of Manhattan, City, County and State of New York,

, part Y of the second part:

Witnesseth, That the parties of the first part, by virtue of the power and authority to them given in and by said last Will and Testament, and in consideration of ONE HUNDRED TWENTY-FIVE THOUSAND - - - - (\$125,000.00) - - - - - Dollars, lawful money of the United States,

part, do hereby grant and release unto the part Y of the second part, paid by the part Y of the second part, its successors and assigns forever,

PARCEL I

ALL that certain lot, piece or parcel of land with the buildings thereon, situate, lying and being in the Town of New Windsor, County of Orange and State of New York, and more particularly bounded and described as follows:-

BEGINNING at a point formed by the intersection of the northerly line of lands owned by the City of New York and used for an aqueduct with the westerly line of New York State Route 32, and running thence North 39° 13' West 156.32 feet; thence North 50° 47' East 60 feet; thence North 39° 13' West 250 feet; thence South 50° 47' West 60 feet; thence North 39° 13' West 263.30 feet; thence North 4° 06' 30" West 52.07 feet; thence North 77° 20' East 544.06 feet; thence South 29° 50' East 54.10 feet; thence South 12° 04' West 318.10 feet; thence South 10° 56' West 338.16 feet to the point or place of beginning.

PARCEL II

ALL that certain lot, piece or parcel of land with the buildings thereon, situate, lying and being in the Town of New Windsor, County

of Orange and State of New York, and more particularly bounded and described as follows:-

BEGINNING at a point formed by the intersection of the southerly line of lands of the City of New York used for an aqueduct and the westerly line of New York State Route 32, and running thence South $12^{\circ}35'$ West 40.84 feet; thence North $76^{\circ}23'$ West 228.15 feet; thence North $37^{\circ}06'$ East 174.90 feet; thence South $39^{\circ}13'$ East 197.92 feet to the point or place of beginning.

ABOVE described parcels "I" and "II" being a portion of premises devised by Joseph Downey to his sisters, CATHERINE F. DOWNEY and MARY G. DOWNEY, by Will probated September 12, 1933 in the Orange County Surrogate's Office; and also being a portion of premises subsequently devised by said CATHERINE F. DOWNEY to said MARY G. DOWNEY for life with remainder to Edward J. Downey, nephew, and Ann Elizabeth Downey, Margaret Merritt, Mary G. Downey, Catherine F. Downey and Ella B. Downey, nieces of said decedent, Catherine F. Downey, and who are also nephew and nieces of her sister, the said life tenant, MARY G. DOWNEY.

The aforesaid MARY G. DOWNEY, sister of aforesaid Joseph Downey and Catherine F. Downey, having subsequently died June 23, 1966, leaving a Last Will and Testament, probated in the Orange County Surrogate's Office July 12, 1966, whereunder letters testamentary were issued to instant grantors named as executors under said will.

12° 35' West 40.84 feet; thence North 76° 23' West 228.15 feet; thence North 37° 06' East 174.90 feet; thence South 39° 13' East 197.92 feet to the point or place of beginning.

ABOVE described parcels "I" and "II" being a portion of premises devised by Joseph Downey to his sisters, CATHERINE F. DOWNEY and MARY G. DOWNEY, by Will probated September 12, 1933 in the Orange County Surrogate's Office; and also being a portion of premises subsequently devised by said CATHERINE F. DOWNEY to said MARY G. DOWNEY for life with remainder to Edward J. Downey, nephew, and Ann Elizabeth Downey, Margaret Merritt, Mary G. Downey, Catherine F. Downey and Ella B. Downey, nieces of said decedent, Catherine F. Downey, and who are also nephew and nieces of her sister, the said life tenant, MARY G. DOWNEY.

The aforesaid MARY G. DOWNEY, sister of aforesaid Joseph Downey and Catherine F. Downey, having subsequently died June 23, 1966, leaving a Last Will and Testament, probated in the Orange County Surrogate's Office July 12, 1966, whereunder letters testamentary were issued to instant grantors named as executors under said will.

Together with the appurtenances, and also all the estate which said Testat rixhad at the time of her decease in said premises, And also the estate therein, which the part ies of the first part have or had power to convey or dispose of, whether individually, or by virtue of said Will or otherwise,

To have and to hold the premises herein granted unto the part y of the second part, its successors and assigns forever.

And the part ies of the first part covenant thatthey have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And The grantors, in compliance with Section 13 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the part ies of the first part have hereunto set their hands and seals the day and year first above written.

In presence of

Edward J. Downey (L.S.)
Edward J. Downey

Mary G. Downey (L.S.)
Mary G. Downey

Catherine F. Downey (L.S.)
Catherine F. Downey

State of NEW YORK

County of ORANGE

ss.:

On the

14th

day of December

, nineteen hundred and sixty-six,

before me personally came EDWARD J. DOWNEY, MARY G. DOWNEY and

CATHERINE F. DOWNEY

, to me known

to be the individual s described in, and who executed, the foregoing instrument, and acknowledged that they executed the same.

Allen J. Indzonka
Notary Public

ALLEN J. INDZONKA
Notary Public, State of New York
Residence on Appointment — Orange County
Commission Expires March 30, 1968

State of

County of

ss.:

On the

day of

, nineteen hundred and

, before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides in

And the parties of the first part covenant that they have not done or suffered anything whereby the said premises have been incumbered in any way whatever.

And The grantors, in compliance with Section 13 of the Lien Law, covenant as follows: That they will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement, and that they will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

In presence of

Edward J. Downey (L.S.)
Edward J. Downey
Mary G. Downey (L.S.)
Mary G. Downey
Catherine F. Downey (L.S.)
Catherine F. Downey

State of NEW YORK

County of ORANGE

ss.:

On the 14th day of December, nineteen hundred and sixty-six, before me personally came EDWARD J. DOWNEY, MARY G. DOWNEY and CATHERINE F. DOWNEY, to me known to be the individuals described in, and who executed, the foregoing instrument, and acknowledged that they executed the same.

Allen J. Indzonka
Notary Public

ALLEN J. INDZONKA
Notary Public, State of New York
Residence on Appointment—Orange County
Commission Expires March 30, 1968

State of

County of

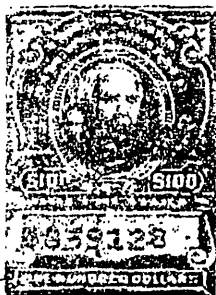
ss.:

On the _____ day of _____, nineteen hundred and _____, before me personally came _____,

to me known, who, being by me duly sworn, did depose and say that he resides in _____;

that he is the _____ of _____;

the corporation described in, and which executed, the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of _____ of said corporation; and that he signed _____ name thereto by like order.



Deed.

EDWARD J. DOWNEY, MARY G.
DOWNEY and CATHERINE F. DOWNEY,
as Executors u/w Mary G.
Downey, Deceased
TO
MOBIL OIL CORPORATION,
formerly named
SOCONY MOBIL OIL COMPANY, INC.

Dated, December 19 66

Orange County Clerk's Office, S.S.

Recorded on the 16th day
of Dec. 1966 at 2:23
o'clock P.M. in Liber 1759
... Deeds ... at page 496
and Examined.

P.E. Bottinack
..... Clerk

WEINER AND LOEB
178 Grand Street
Newburgh, N. Y.

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

550

P.05

89145634693

TO

DEED 1759 pg 499

JUL-11-1991 15:19 FROM

POLICY OF TITLE INSURANCE

No. W838-679
Title No. 123488

Lawyers Title Insurance Corporation

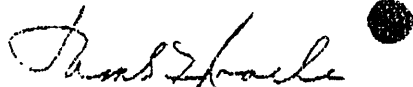
HOME OFFICE - RICHMOND, VIRGINIA

LAWYERS TITLE INSURANCE CORPORATION, in consideration of the payment of its premium for insurance, insures the within named insured against all loss or damage not exceeding the amount of insurance stated herein and in addition the costs and expenses of defending the title, estate or interest insured, which the insured shall sustain by reason of any defect or defects of title affecting the premises described in Schedule A or affecting the interest of the insured therein as herein set forth, or by reason of unmarketability of the title of the insured to or in, the premises or by reason of liens or incumbrances affecting title at the date hereof, or by reason of any statutory lien for labor or material furnished prior to the date hereof which has now gained or which may hereafter gain priority over the interest insured hereby, or by reason of a lack of access to and from the premises, excepting all loss and damage by reason of the estates, interests, defects, objections, liens, incumbrances and other matters set forth in Schedule B, or by the conditions of this policy hereby incorporated into this contract, the loss and the amount to be ascertained in the manner provided in said conditions and to be payable upon compliance by the insured with the stipulations of said conditions, and not otherwise.

IN WITNESS WHEREOF, Lawyers Title Insurance Corporation has caused this policy to be signed and sealed on its date of issue set forth herein, to be valid when countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws.

Issued at: New York, New York

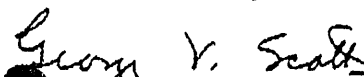
Countersigned By:

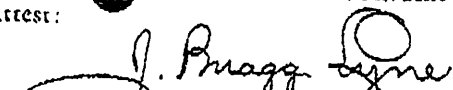

Authorized Officer or Agent



Lawyers Title Insurance Corporation

Attest:


President


Secretary

Name of Insured MOBIL OIL CORPORATION

Amount of Insurance \$125,000.00

Date of Issue December 14, 1966

The estate or interest insured by this policy is Fee Simple

vested in the insured by means of (1) a deed from Edward J. Downey, Mary G. Downey and Catherine F. Downey, as Executors of the Estate of Mary G. Downey, deceased, dated December 14, 1966, recorded December 16, 1966, in Liber 1759 cp 429, in the County Clerk's Office, Orange County, New York State, and (2) a deed from Edward J. Downey, Mary G. Downey, Catherine F. Downey, Margaret Merritt and Ann Elizabeth Downey, dated December 14, 1966 and recorded December 16, 1966 in Liber 1759 cp 496 in said Clerk's Office.

SCHEDULE A

The premises in which the insured has the estate or interest covered by this policy

Parcel 1

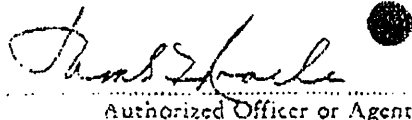
ALL that certain lot, piece or parcel of land with the buildings thereon situate, lying and being in the Town of New Windsor, County of Orange and State of New York, and more particularly bounded and described as follows: BEGINNING at a point formed by the intersection of the north line

...or exceeding the amount of insurance stated
and in addition the costs and expenses of defending the title, estate or interest insured, which the insured shall sustain by reason of any defect or defects of title affecting the premises described in Schedule A or affecting the interest of the insured therein as herein set forth, or by reason of unmarketability of the title of the insured to or in the premises or by reason of liens or incumbrances affecting title at the date hereof, or by reason of any statutory lien for labor or material furnished prior to the date hereof which has now gained or which may hereafter gain priority over the interest insured hereby, or by reason of a lack of access to and from the premises, excepting all loss and damage by reason of the estates, interests, defects, objections, liens, incumbrances and other matters set forth in Schedule B, or by the conditions of this policy hereby incorporated into this contract, the loss and the amount to be ascertained in the manner provided in said conditions and to be payable upon compliance by the insured with the stipulations of said conditions, and not otherwise.

IN WITNESS WHEREOF. Lawyers Title Insurance Corporation has caused this policy to be signed and sealed on its date of issue set forth herein, to be valid when countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws.

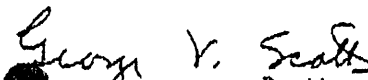
Issued at: New York, New York

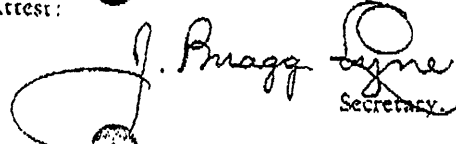
Countersigned By:


Authorized Officer or Agent



Lawyers Title Insurance Corporation


President

Attest: 
Secretary

Name of Insured: MOBIL OIL CORPORATION

Amount of Insurance \$125,000.00

Date of Issue December 14, 1966

The estate or interest insured by this policy is Fee Simple

vested in the insured by means of (1) a deed from Edward J. Downey, Mary G. Downey and Catherine F. Downey, as Executors of the Estate of Mary G. Downey, deceased, dated December 14, 1966, recorded December 16, 1966, in Liber 1759 cp 429, in the County Clerk's Office, Orange County, New York State, and (2) a deed from Edward J. Downey, Mary G. Downey, Catherine F. Downey, Margaret Merritt and Ann Elizabeth Downey, dated December 14, 1966 and recorded December 16, 1966 in Liber 1759 cp 496 in said Clerk's Office.

SCHEDULE A

The premises in which the insured has the estate or interest covered by this policy

Parcel 1

ALL that certain lot, piece or parcel of land with the buildings thereon situate, lying and being in the Town of New Windsor, County of Orange and State of New York, and more particularly bounded and described as follows: BEGINNING at a point formed by the intersection of the northerly line of lands owned by the City of New York and used for an aqueduct with the westerly line of New York State Route 32, and RUNNING THENCE North 39° 13' West 156.32 feet; thence North 50° 47' East 60 feet; thence North 39° 13' West 250 feet; thence South 50° 47' West 60 feet; thence North 39° 13' West 263.30 feet; thence North 4° 06' 30" West 52.07 feet; thence North 77° 20' East 544.06 feet; thence South 29° 50' East 54.10 feet; thence South 12° 04' West 318.10 feet; thence South 10° 56' West 338.16 feet to the point or place of BEGINNING.

Parcel 2

ALL that certain lot, piece or parcel of land with the buildings thereon, situate, lying and being in the Town of New Windsor, County of Orange and

228.15 feet; thence North 37° 06' East 174.90 feet; thence south 39° 13' East 197.92 feet to the point or place of BEGINNING.

SCHEDULE B

The following estates, interests, defects, objections to title, liens and incumbrances and other matters are excepted from the coverage of this policy

1. Defects and incumbrances arising or becoming a lien after the date of this policy, except as herein provided
2. Consequences of the exercise and enforcement or attempted enforcement of any governmental war or police powers over the premises
3. Zoning restrictions or ordinances imposed by any governmental body.
4. Judgments against the insured or estates, interests, defects, objections, liens or incumbrances created, suffered, assumed or agreed to by or with the privity of the insured
5. Title to any property beyond the lines of the premises or title to areas within or rights or easements in any abutting streets, roads, avenues, lanes, ways or waterways, or the right to maintain therein vaults, tunnels, ramps or any other structure or improvement, unless this policy specifically provides that such titles, rights, or easements are insured. Notwithstanding any provisions in this paragraph to the contrary, this policy, unless otherwise excepted, insures the ordinary rights of access and egress belonging to abutting owners.
6. Compliance by the buildings or other erections upon the premises or their use with Federal, State and Municipal laws, regulations and ordinances.
7. Title to any personal property, whether the same be attached to or used in connection with said premises or otherwise.
8. The state of facts as shown on survey prepared by A. S. Brinnier, P.E. and L.L.S. dated March 15, 1966, subject to any changes since date thereof.
9. New York State Transfer Tax against Estate of Mary G. Downey, deceased. However, this policy will insure against collection of said tax out of premises insured herein.
10. Federal Estate Tax against Estate of Mary G. Downey, deceased. However, this policy will insure against collection of said tax out of premises insured herein.

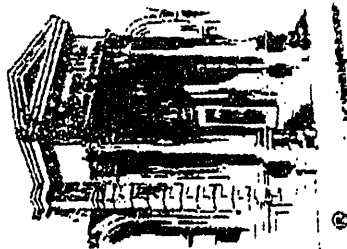
1/26/67 HB

IT

Policy #1-NY-481-6-65-Litbo in U.S.A

N.Y.B.T.U. Form No. 100 D (also adopted by The New York State Title Association)

#5
Policy
of
Title Insurance



Lawyers Title
Insurance Corporation
Home Office
Richmond, Virginia

4. Judgments against the insured or estates, interests, defects, ob-
jections, liens or incumbrances created, suffered, assumed or agreed
to by or with the privity of the insured.

or their use with Federal, State and Municipal laws, regulations
and ordinances.

7. Title to any personal property, whether the same be attached to
or used in connection with said premises or otherwise.

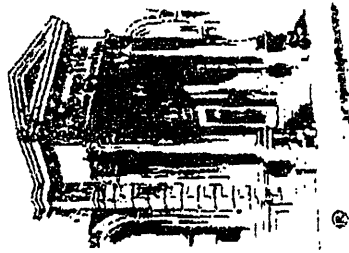
8. The state of facts as shown on survey prepared by A. S. Brinnier,
P.E. and L.L.S. dated March 15, 1966, subject to any changes since
date thereof.
9. New York State Transfer Tax against Estate of Mary G. Downey, de-
ceased. However, this policy will insure against collection of
said tax out of premises insured herein.
10. Federal Estate Tax against Estate of Mary G. Downey, deceased.
However, this policy will insure against collection of said tax
out of premises insured herein.

1/26/67 HB

Policy 47-NY-821-6-65-Litho in U.S.A.

N.Y.B.T.U. Form No. 100 D (also adopted by The New York State Title Association)

#5
Policy
of
Title Insurance



Lawyers Title
Insurance Corporation
Home Office
Richmond, Virginia

Service available in 45 states in-
cluding Hawaii; and in the Dis-
trict of Columbia, Puerto Rico
and Canada.



National Division, Branch and
Agency offices and Approved At-
torneys located throughout the
operating territory as shown on
the map.

Lawyers Title Insurance Corporation
Home Office - Richmond, Virginia



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

28

August 21, 1992

Bohler Engineering
786 Mountain Boulevard
Watchung, NJ 07060

Re: Tax Map Parcel: 69-4-26.2
Mobil Oil Corporation

Dear Mr. Richter:

According to our records, the attached list of property owners are within five hundred (500) ft. of the above referenced property.

The charge for this service is \$45.00, minus your deposit of \$25.00. Please remit the balance of \$20.00 to the Town Clerk's office.

Sincerely,

Leslie Cook / (cc)

Leslie Cook
SOLE ASSESSOR

LC/cad
Attachment
cc: Pat Barnhart

V.G.R. Associates
c/o Howard V. Rosenblum
300 Martine Ave.
White Plains, NY 10601

Prekas, Steve
3 Warden Circle
Newburgh, NY 12550

Prekas, Steve
c/o ACSIS Foods Inc.
1 Topaz Ct.
Spring Valley, NY 10977

Casaccio, Paul & Virginia
41 Barclay Rd.
New Windsor, NY 12553

Primavera, Joseph A.
Box 88
Marlboro, NY 12542

Angelo Rosmarino Enterprises, Inc.
PO Box 392
Vails Gate, NY 12584

Hess Realty Corp.
1 Hess Plaza
Woodbridge, NJ 07095

Korngold M.D., Louis
135 Strawtown Rd.
W. Nyack, NY 10994

Brambury Associates
765 Elmgrove Rd.
Rochester, NY 14624

TGS Associates Inc.
15 East Market St.
Red Hook, NY 12571

S & S Properties Inc.
123 Quaker Rd.
Highland Mills, NY 10930

Conna Corporation
Real Estate Dept.
c/o Dairy Mart #6668
210 Broadway
East Cuyahoga Falls, OH 44222

Brewer, Ella
Box 527
Vails Gate, NY 12584

McMillen, Mary
PO Box 153
Vails Gate, NY 12584

Brewer, Russell A. Jr. & Ruth Ann
Route 94 Box 103
Vails Gate, NY 12584

Brewer, Helen & Ida Mae & Michael
PO Box 293
Vails Gate, NY 12584

Deyo, Beatrice & Scherf, Hannah Marie & Lawrence Arthur
PO Box 293
Vails Gate, NY 12584

Central Hudson Gas & Electric Corporation
284 South Ave.
Poughkeepsie, NY 12601

Slepoy, Herbert & Andrew & Jacqueline & Gardner, Fred
104 S. Central Ave.
Valley Stream, NY 11580

McDonalds Corp. 031/0159
PO Box 66207
AMF Ohare
Chicago, IL 60666

Leonardo, Constantine
18 Oak St.
Newburgh, NY 12550

Leonardo, Samuel
7 Dogwood Hills Rd.
Newburgh, NY 12550

House of Apache Properties LTD
52 Elm St.
Huntington, NY 11743

Windsor Enterprises, Inc.
PO Box 928
Vails Gate, NY 12584

Mans, C P
PO Box 247
Vails Gate, NY 12584

Vander Maas, Brian K. & Bridgette A.
12 Truex Dr.
New Windsor, NY 12553

Fernandez, Michael A. & Michael R.
9 Truex Dr.
New Windsor, NY 12553

Slepoy, William & Andrew & Jacqueline & Gardner, Fred
c/o Friendly Ice Cream Corp.
1855 Boston Rd.
Wilbraham, MA 01095

Date 7/1/12 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550**

TO Frances Roth 354 Morris Hill Rd DR.
New Windsor, NY 12553

DATE		CLAIMED	ALLOWED
8/10/92	zoning Board Meeting	75	00
	Misc - 1		
	B.K. - 10		
	Mobil 17 ✓		
	Dickens - 5		
		148	50
		223	50

MOBIL OIL CORP.

MR. FENWICK: Request for two free-standing signs (only one permitted) with 52.3 s.f. sign area variance for free-standing signs, 128.7 s.f. sign area variance for wall sign and three set back variances as follows: Sign #1- 14 ft, Sign #2- 12 ft, #3- 12 ft. (Signs must be 15 ft. from any lot line) for Mobil Oil signs located at Five Corners in Vails Gate in a C zone.

Mr. Eric Steinfeld and Gary Hughes came before the board representing this proposal.

MR. STEINFELD: I've got an exhibit that might be easier.

MR. STEINFELD: Ladies and gentlemen, the signage before you boils down to two signage packages primarily being if I can break it down to free-standing signage and building mounted signage. Before I get started, the signage proposed that is before you is consistent with what Mobil has done in this geographical region as well as throughout out the Unites States, considered to be more or less a formal or standard signage package for this type of location which is more of a rural type location. Specifically, as we speak with respect to the free-standing signage, the signage is comprised of free-standing signage comprised of main identification sign which we're proposing at the intersection and that of course will replace the existing identification sign that you see there currently. In addition to that, we're also proposing a secondary sign what we call a POS or a snaplock sign which will be located right off Route 94. The purpose of that sign will be to provide pricing information to the 94 customer. The main identification sign that I referred to earlier will be primarily used for identification of the facility, the Mobil facility, identification of the price, of course, and identification of the fact that there's a car wash on the premises as well. So, this is really our premier sign with respect to identification of the site. On the basis of it's orientation perpendicular to Route 32, it's necessary for us as well to identify,

brings to the 94 potential patron. We're doing this simply by the construction of the POS sign here. The last free-standing sign that we're proposing is off Route 32 and it will be mounted on a yard light pole, as this one here will primarily be utilized for merchandising, it will allow the operator of the facility a chance to merchandise any in-house product such as Mobil One, perhaps a cup of coffee, free glass with your fillup, that sort of thing. That is more or less is the entire free-standing signage package. I'm sure many of you are familiar with the Mobil location that currently exists, I believe it's on Route 300 right at the stop light. I forget the side street right up the road here, Vails, Five Corners.

MR. HUGHES: Just the same, it's identical signage.

MR. STEINFELD: Two POS signs as well as the primary identification sign. Once we move interior to the site, a number of you have seen the facility as it exists today. Many of these signs exist. Actually if not all of them, I believe, exist at this point. Just to run through those for you because from a technical standpoint, it has been identified based on I guess the interpretation by your zoning officer that we do need a variance because we exceed the number of building-mounted signs as well as the square footage basis. Let me just go through them one at a time. Those of you that are familiar with the facility, there's an existing Mobil Mart structure that exists under the canopy that is one primary structure. The other is the canopy structure itself which more or less spans over the top of the Mobil Mart and covers the pump islands. The third structure is the car wash to the rear. Mobil's intent in their internal signage package is to identify the if structures. They are doing that simply by identifying car wash legends located on the car wash, a Mobil Mart legend that is located on the Mobil Mart and two Mobil canopy legends that are, that identify the canopy itself as a Mobil structure. Generally speaking, we refer to these Mobil legends more or less as logos as we refer to the pegasus disks that are located on either side of Mobil Mart facility as logos as well that is the right

signage package for the interior with the small exception of a snaplock sign which is also to be located on the car wash facility itself. That gives us an opportunity to identify the fact that you might get a free car wash with a fillup, gives us a chance to merchandise specifically the car wash facility itself. That more or less is the entire signage package as I identified we're in deviation of the ordinance with respect to the number of signs as well as the square footage. However, we feel we're consistent with a number of the other facilities in the area, namely of course the Mobil facility that I had mentioned previously and in a nutshell, I think we're not asking or I feel we're not asking for anything above and beyond shall what we say the spirit of the ordinance really permits.

MR. FENWICK: You're saying everything is identical to the one at Meadow Hill in the Town of Newburgh?

MR. STEINFELD: To a large extent it is. I didn't spend an awful lot of time identifying every single sign at the location but what's identical is the free-standing signage which is the perimeter signage which are the signs from your standpoint are the most important from your view, they are the ones that municipalities and townships fight very, very hard to control. The internal signs again are much more subdued and they are internal to the site. You must enter the site before you really get a full chance to obtain visibility.

MR. BABCOCK: Can I make one correction to the agenda. The agenda says request for two free-standing, it should say three.

MR. FENWICK: I thought you meant two besides the one that they are allowed.

MR. BABCOCK: It should say request for three free-standing signs.

MR. KONKOL: They were in here several months ago revamping, this was the sign issue addressed and they

August 10, 1992

14

said they didn't need any signs or didn't we grant a variance at the time?

MR. LUCIA: They said they were not prepared to present it at that point so they just let it pass. I don't think they made any formal presentation.

MR. HUGHES: Mobil down in Virginia, they had 12 of them, different types, colors and so forth lined up and they were stopping people.

MR. KONKOL: We didn't grant any sign variance, did we?

MRS. BARNHART: No.

MR. KONKOL: In comparison to that presentation, what's existing there now.

MR. STEINFELD: On the facility today, everything internal exists on the site today, everything internal. Meaning building-mounted signs exist there today. Two Mobil identification signs on the canopy, two pegasus disks, excuse me the Mobil Mart that identifies the fact that there's a mart, the identification of the car wash which is simply a car wash legend and the small point-of-sale sign so in fact everything that we're proposing with respect to the building-mounted signage already exists on the site today. We're seeking here, seeking your permission to allow those signs to remain to a large extent.

MR. KONKOL: What's there now is what's proposed?

MR. HUGHES: Nothing more.

MR. TORLEY: We went over the variances last time, there's no mention that on building signs we're going to require variances.

MR. HUGHES: It was mentioned, I remember that and what we're doing here is since I have to ask for the three other signs, I want to be perfectly clear that the other signage that we had on the building and the canopy and so forth were also part. If there's a

variance needed, then I want to make sure that we have it.

MR. STEINFELD: It had been identified by your zoning officer that a variance was required to actually allow those signs to remain. I guess our interpretation we read little bit different with respect to I'm sure you're all familiar with the 7 1/2 % of the wall sign area which is really what the ordinance is based on. Based on our calculations and based on the fact that you do have two frontages, 94 and 32, our calculation of the specific buildings, specifically the canopy is one structure, Mobil Mart is a structure and the car wash is a structure, leaves us with allowable square footage that is in excess of what we're proposing. And I guess it must have been perhaps under that basis that the board felt at the time of site plan review that a variance wasn't required for the building-mounted signage. I can't say for certain but--

MR. FENWICK: They were never presented to us before. You're saying the interior signs are all existing now. What about the ones by the road? I know the one at the corner is existing. Are the ones by the driveways existing? You're going to replace that one up there, the entrance driveways were going to be the changeable signs, is it there now?

MR. STEINFELD: No.

MR. FENWICK: And that was, is not there now either?

MR. STEINFELD: No, sir. The existing sign is the existing identification sign that will be replaced.

MR. KONKOL: So what's existing now, everything is there except the sign on 94 and the one down here on 32?

MR. STEINFELD: Yes, sir, with the exception of a small modification of this sign at the intersection.

MR. FENWICK: We have identified in the agenda a sign, one sign, two sign, three sign. One needing 14 foot

various for a setback, sign two needing 12 and sign 3 needing 13.

MR. BABCOCK: I numbered those for my benefit so I knew which sign I was talking about. I also sent a plan to the zoning Board. Number one would be the, that sign there on 94.

MR. FENWICK: Going to come around, okay, the one is--

MR. BABCOCK: The one on 32, down here is #2 and the one for Mobil Oil is #3.

MR. FENWICK: Okay, one of the things that we're looking at right now is the variances are substantial versus what the law said, the law says you have to be 15 feet from any lot line. And you want to be considerably closer than that from the looks of things here. What about from the curb cuts, how far back do you think you are from the curb cuts?

MR. STEINFELD: Curb cuts being here?

MR. FENWICK: The outer part, do the, in other words, I'm looking at your lot line, looks like you're only maybe a foot or two off for sign number one, actually how far is that curb that's existing now out on the road?

MR. STEINFELD: That is correct.

MR. FENWICK: How far would you be back from there?

MR. STEINFELD: From the curb line, approximately five feet. I just might add the existing sign I'm sure you're all familiar with that the existing sign is located of course in close proximity to the property line now with respect to the signs that we're locating at the entrances, they'll be located on a light pole and the sign itself will have an underside clearance of five feet. Okay, at a minimum five feet which allows somebody sitting in their car or their vehicle, eye level is 3.75 feet, Mobil in no way obviously proposes to inhibit sight visibility entering and exiting the

site.

MR. FENWICK: These signs are on light poles you're saying?

MR. STEINFELD: Yes, sir, they are.

MR. FENWICK: Are the light poles there now?

MR. STEINFELD: I believe so.

MR. FENWICK: How long are the signs I'm looking at 21.4.

MR. STEINFELD: Yes, sir each one for number one and number two.

MR. KONKOL: Is that for both sides?

MR. STEINFELD: That is actually one side.

MR. KONKOL: So, actually it's--

MR. FENWICK: So in other words, what you're saying what is this thing, approximately 4 by 5?

MR. STEINFELD: I thought we showed a representation, it's approximately four feet by five feet, it's not an obtrusive sign at all. I'm sure that you are familiar with, maybe you're not because quite frankly, they are relatively small ones. You look at them from the road, they don't appear to be large signs at all. You may have noted them in your travels, if you have noticed some of the secondary pricing that Mobil typically provides on a side street but they are located in close proximity to the property line. That is their main intent is to provide them in an area that obviously they are extremely visible to the bypass customers. But of course locality in a such a manner that they are safe and nothing is going to be inhibiting any sight visibility.

MR. BABCOCK: Can I ask one question? Sign #3, you have on your plan 49.5 square feet is that one side or

both sides?

MR. STEINFELD: Actually, that is one side.

MR. LUCIA: That would change the variance request.

MR. BABCOCK: It's going to change the number which I'll work up right now. It's going to double the square footage cause it's each side. I'll do that.

MR. HUGHES: We're actually trying to make it smaller than the sign that exists there now. There's a ten foot by five foot sign there now which is 50 square feet per side and I think the 49 square feet encompasses in addition the price sign as well as cause it's only an eight foot sign by four feet so it is quite a bit smaller.

MR. FENWICK: What different information would be on sign number 2 that wouldn't be on sign number 3?

MR. STEINFELD: Well, again number 3 primarily just utilized to identify the fact that it is a Mobil station, to identify the fact that there's a car wash on site and identify the most important ingredient which is price. Those three ingredients will be the only things comprehended in sign 3. Sign 2 it appears that allows the operator to merchandise something in the mart, help him sell the coffee, you get a free cup if you do a fillup, maybe mix it up with Mobil One, identify the fact, promote the Mobil One oil, things of that nature. So again, this is really just a merchandising sign, solely a merchandising sign. It's the operator's sole opportunity to merchandise. This primarily is just identification and this pricing.

MR. BABCOCK: Can I ask one more question, sir? All the signs that are building-mounted I would assume are all one-sided?

MR. STEINFELD: Yes, sir that is correct.

MR. TORLEY: How about sign number 2?

MR. STEINFELD: 21.4 on each side.

MR. BABCOCK: On each side?

MR. FENWICK: Is that the same size of the signs that are at Meadow Hill now?

MR. HUGHES: That is correct.

MR. FENWICK: They are signs that are that same size?

MR. STEINFELD: I drove by there this afternoon, not more than a half hour ago and they have two snap locks and they have one large identification sign that is 12 by 5 or 60 square foot sign with prices which is 24.5 approximately square feet so it is actually in excess of the sign that we're proposing here.

MR. FENWICK: I'm saying I want to go up there and see what this sign looks like.

MR. STEINFELD: Absolutely.

MR. KONKOL: The only thing with Meadow Hill, you've got crossroads and five corners, you have exactly what you have, five corners, you have much more concentrated traffic pattern here at Vails Gate than you do at Meadow Hill and really you know your station looks gorgeous, the signs that are up there are fine. I just question do you need two more signs? What they want to do for merchandising that is their problem but I think that they are loading up my favorite saying your putting ten pounds in a five pound bag.

MR. TORLEY: Considering that we already granted a number of rather extensive variances for some of the other fixtures and at that point, you didn't say anything about changing signs, now you're coming back and saying by the way, we want three more signs and--

MR. HUGHES: I did that for a reason. I kept the signs totally separate because I knew we were going to have to come back and ask for the new identification sign once the Fairfax Corporation group selected their

design for that.

MR. TORLEY: The position regardless of the kind of sign they decided the logo and where you are going to put the sign hasn't changed.

MR. HUGHES: No but either way, I wouldn't be able to ask for a sign saying I don't know how big it is but we want to put a sign there. I think you guys would have laughed at me then.

MR. BABCOCK: The one sign number is 49.5 square feet each side. They are allowed 40.

MR. KONKOL: 9 foot over there? What's the total exterior signage that they have?

MR. BABCOCK: Right now, it's each side so the agenda should be modified. It was 52.3, they were requesting they needed 144.6.

MR. KONKOL: How about for the other two signs?

MR. BABCOCK: That includes all three signs.

MR. KONKOL: If we eliminate one and two, they are still going to need a variance for number three?

MR. BABCOCK: Yes, one.

MR. TORLEY: I confess one of the things is the setback in the streets I'm concerned about. That code was put in for safety purposes more than they exist now. You're talking a sign right next to a busy road, even though it's on a light pole, it's got five foot clearance.

MR. FENWICK: Five foot is nice until you sit in a pick-up truck.

MR. KONKOL: Is number 3 sign existing right now?

MR. HUGHES: There's an existing sign there.

MR. FENWICK: At the same location as number 3 shown on your drawing?

MR. HUGHES: Oh, yes it's sitting right here where it shows existing sign to be removed.

MR. LUCIA: If I recall from the last variance application, you said that the street lines changed as part of the ~~reveal~~ of the five corners intersection. That resulted in taking lands from Mobil.

MR. HUGHES: I would say not taking land because our property is here, other than taking this but it did move the curb cuts back slightly to provide a wider, safe approach going south.

MR. LUCIA: It may be relative to the setback variance.

MR. TORLEY: What's the difficulty in, explain to me what the difficulty is in moving the signage back so they'd meet the offset property line requirements.

MR. HUGHES: It would be back just on this curb line here. It would be really blocked by the large pole that is sitting there now, the one that handles the traffic light indicator, it would be almost blocked by that and that is why we wanted to put it out here so people from 300, cause if you drive down 300 south, you can't even see any identification sign. I'm sure you're driven down that road, that is one of the other reasons we wanted to identify so people can see it far enough in advance so that they would be able to either get in the left or right-hand lane, if they wanted to go to the service station without having to make a last minute maneuver.

MR. TORLEY: I've seen the canopy, it's a very nice structure but you have a huge canopy with Mobil. Isn't that enough to say to people along the way, yes there is a gas station?

MR. HUGHES: The canopy legends are here and they shoot out this way which is up 94.

MR. TORLEY: I'd feel a lot better if you put one of the canopy signs facing up 300 rather than put a huge sign.

MR. HUGHES: I would have liked to have done that but we can't because of a structure. There's a big I beam that runs through there. That was a thought, though, very good thought. We wanted to do that too but due to the structure, we couldn't.

MR. KONKOL: What do they need for just sign three.

MR. BABCOCK: 59 square feet.

MR. KONKOL: Just for the one sign?

MR. STEINFELD: Just keep in mind just to reiterate for the board, the sign that we're proposing is actually smaller sign. Number 3 is smaller than what exists out there today. It's significantly smaller than other similar type facilities.

MR. KONKOL: I know but other facilities aren't located on this traffic intersection. This is really a hodgepodge now. People driving, I can't see people looking around. It's nice to have you call it a rural area, that is about as cosmopolitan as you get, that intersection, and people driving along and they are going to look along and see what the price is? There's enough bang-ups without adding anymore signage. I'm not against sign number 3 properly located but I'm against those other two signs. No matter where you come from, you can see Mobil and if you are going to do your shopping from the car, I doubt it, I mean--

MR. STEINFELD: Sir, I beg to differ with you there only because two sets on this, at this facility will make the difference between actually closing the doors and the station operating successfully. I mean no other industry that I can think of does two or three cents at the pump make that much difference. That is why it's so imperative that we have the appropriate signage exposure. With respect to pricing alone, we

have that certainly off 32 with your allowance of this sign, if we don't have it off 94, we have a situation where people slow down, they hesitate, they try and look in and identify the price that is located on the pump so we have seen a number of difficulties and somewhat dangerous situations created by improper signage with regard to pricing. I agree no question about it with respect to the additional signage for merchandising, that is something we ask for simply to make this a successful operation from the standpoint of the other, shall we say, secondary and tertiary type products that we're going to sell but the most imperative signage we can possibly have is the identification of price.

MR. TORLEY: Granting for the moment the practical difficulty on the one face due to the I beam. Why couldn't the pricing information be hung on the canopy and get rid of one and two?

MR. STEINFELD: Because with respect to identifying it on the legend itself, it's not where people would expect it, it's 14, about 15 or 16 feet in the air and it's so far removed from the perimeter of the site that it just renders it very, very difficult, Mobil has in many markets attempted to test signage on the canopy with respect to pricing. You rarely see it as a matter of fact Crown used to do it, I don't know of any major retailer in the nation that identifies price on the canopy. It's only because the best place for signage is immediately where the patrons will be able to see it right on the identification sign, identify the fact that it is a Mobil station, identify the price with it. That is why it is so important that we couple up those two ingredients. Any secondary pricing must be provided in close proximity to the roadway system or quite frankly, it's useless to locate it internal to the site which is pump top and located on the canopy, although it will do some good, it might create more detriment than good because people would be looking at the canopy and looking internal to the site. This way, they are driving on 94 and 32, their vision doesn't have to deviate that far from the roadway system to identify price.

MR. TORLEY: Someone coming down 94 would have difficulty seeing the price but somebody coming up the other way is going to see it plain as day, sign number 2.

MR. KONKOL: I agree with you, Larry and your presentation is very good from what you're doing but most people in the area that are traveling that area are living in the area. They are going to the gas station for convenience. They are going there to Mobil because they have a Mobil card. They are going to buy Mobil whether it's two cents higher than the guy across the street. I just don't buy that. I just think we've got too much signs. I've lived in this area a long time and there's enough accidents and I'm not in favor and I wouldn't go for it.

MR. FENWICK: Does Mobil own and operate this station?

MR. HUGHES: No, we own the land but Mat Florio, Tom Florio, I think you've met them, they operate it.

MR. STEINFELD: We're not here to force any sign package on the board.

MR. KONKOL: I think this board has been very good in granting the other variances some six or seven months. Right now, your station looks gorgeous over there. It's fine. I don't think you need to junk it up with some more signs.

MR. LUCIA: The board is giving you I think their collective conscience on your proposal.

MR. KONKOL: I'm giving you mine, any way.

MR. LUCIA: This is a five member board. There are two members not here tonight and obviously I can't speak for how they would view your proposal. You have a choice at this point. You can have an absolute right to proceed with the variance application that you are now proposing, bring it to the public hearing and if you have more than three members three, four or five

members will vote. You need three affirmative votes to have the variance granted. Alternatively, if you want to take it back to corporate headquarters wherever the decisions are made and see if they want to revise the signage package and come back for another preliminary, you're welcome to do that. So, it is your choice at this point.

MR. STEINFELD: It's apparent that the ^{Sentiments}~~sediments~~ of the board are specifically focused on the reduction of some signage area. It appears on the perimeter sign or the free-standing signs we have all gathered that on that basis would there be any potential in us proceeding after perhaps a five minute conference and then being allowed to proceed to the formal hearing or just taking the conference on a ride home and coming back and go, actually going to the formal hearing in two weeks or whenever it might be with somewhat of reduced signage package which we feel will be agreeable to the board. It doesn't behoove Mobil to take a sign package to the board which we know will get denied. We have a good flavor of what would be agreeable, I hope.

MR. LUCIA: I don't think the board would have any problem to give you five minutes to consider it. If you are considering a reduction, they'd want to see that at preliminary before coming to a public hearing, saying we cut it down from X number to Y number.

MR. FENWICK: General consensus we don't like surprises, that is how come we have preliminary meetings. If you go to any other towns, they don't have preliminary meetings.

MR. LUCIA: We feel--

MR. TORLEY: We feel that the preliminary meeting stage is really for your benefit as much as ourselves because you don't want to go to a public hearing and go through all the expense and hassle and find out that there's a big one we could have fixed earlier.

MR. STEINFELD: Can we take three to five minutes and I can discuss it with my clients?

MR. FENWICK: If you want to take this back, we have a public hearing that is going to go on and it doesn't look like it will be too substantial.

MR. LUCIA: Gary, you are a Mobil employee?

MR. HUGHES: Yes, I am the project engineer for this.

MR. LUCIA: And you would be coming back to the public hearing also?

MR. HUGHES: Yes, that is correct.

MR. LUCIA: Just so we had somebody from Mobil.

MR. FENWICK: We're going to postpone the preliminary hearing for a while for Mobil Oil Corporation. We're going to proceed with the public hearing next.

MOBIL OIL CONTINUATION

MR. STEINFELD: Ladies and gentlemen, we respectfully request the opportunity to come back at the next preliminary review and discuss it in more detail. That will give us the opportunity to discuss the proposal with our marketing people.

MR. FENWICK: Probably also give us the opportunity to take a look at the Meadow Hill one so we'll have a better perspective of what we're looking at. I'm pretty sure that is a smaller site, would that be correct?

MR. HUGHES: Area wise, it's a little bit larger but it's laid out differently because it's a remote building. Wo it seems like it's more crowded because the building is not underneath the canopy.

MR. BABCOCK: Can I say one thing? If you decide to change the plan that you should get me a plan that is changed so I can send the new numbers or whatever the changes are to the board.

MRS. BARNHART: We're going to need that before the final decision.

MR. TORLEY: I move we table the preliminary meeting for Mobil Oil.

MR. KONKOL: I'll second it.

ROLL CALL

MR. TORLEY	AYE
MR. KONKOL	AYE
MR. FENWICK	AYE

FORMAL DECISIONS

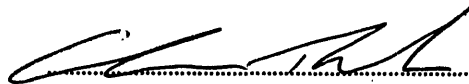
1. FRENNEN/PILLITERI
2. BETTS
3. DI GISCO
4. DE COUTO

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises MOBIL OIL CORPORATION
Address c/o BOHLER ENGINEERING, INC. Phone (908) 668-8300
Name of Architect BOHLER ENGINEERING, INC.
Address 786 MOUNTAIN BLVD., WATCHUNG, NJ 07060 Phone (908) 668-8300
Name of Contractor IRA CONKLIN CONSTRUCTION CO.
Address 92-94 STEWART AVE., NEWBURGH, NY 12550 Phone (914) 474-7341
State whether applicant is owner, lessee, agent, architect, engineer or builder AGENT
If applicant is a corporation, signature of duly authorized officer.



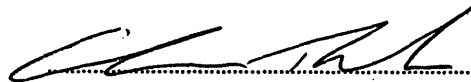
(Name and title of corporate officer)

1. On what street is property located? On the SOUTH side of N.Y.S. ROUTE 94
(N.S.E. or W.)
and 0 feet from the intersection of N.Y.S. ROUTE 32
2. Zone or use district in which premises are situated (C) DESIGN SHOPPING Is property a flood zone? Yes.....No X
3. Tax Map description of property: Section 69 Block 4 Lot 26.2
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy GASOLINE STATION b. Intended use and occupancy GASOLINE STATION
5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair.....
Removal..... Demolition..... Other SIGNAGE
6. Size of lot: Front Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot? YES

IF ANY ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

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6. Size of lot: Front Rear..... Depth..... Front Yard..... Rear Yard..... Side Yard.....
Is this a corner lot? YES
7. Dimensions of entire new construction: Front N/A Rear..... Depth..... Height..... Number of stories.....
8. If dwelling, number of dwelling units N/A Number of dwelling units on each floor.....
Number of bedrooms..... Baths..... Toilets.....
Heating Plant: Gas..... Oil..... Electric/Hot Air..... Hot Water.....
If Garage, number of cars.....
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use GASOLINE STATION
CAR WASH, AND FOOD MART
10. Estimated cost \$50.00 Fee \$50.00
(to be paid on this application)
11. School District

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer -

Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date....7/25.....19..92..

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

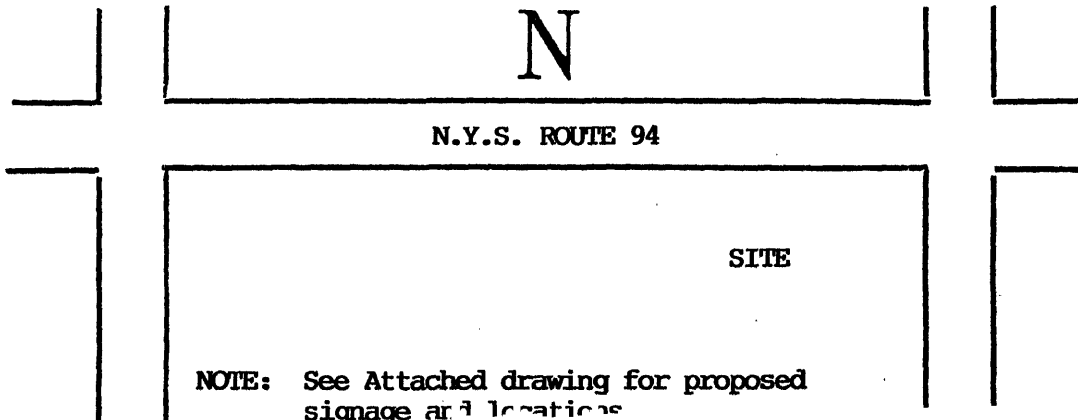
786 MOUNTAIN BLVD., WATCHUNG, NJ 07060

(Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings.



Refer -

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Highway.....

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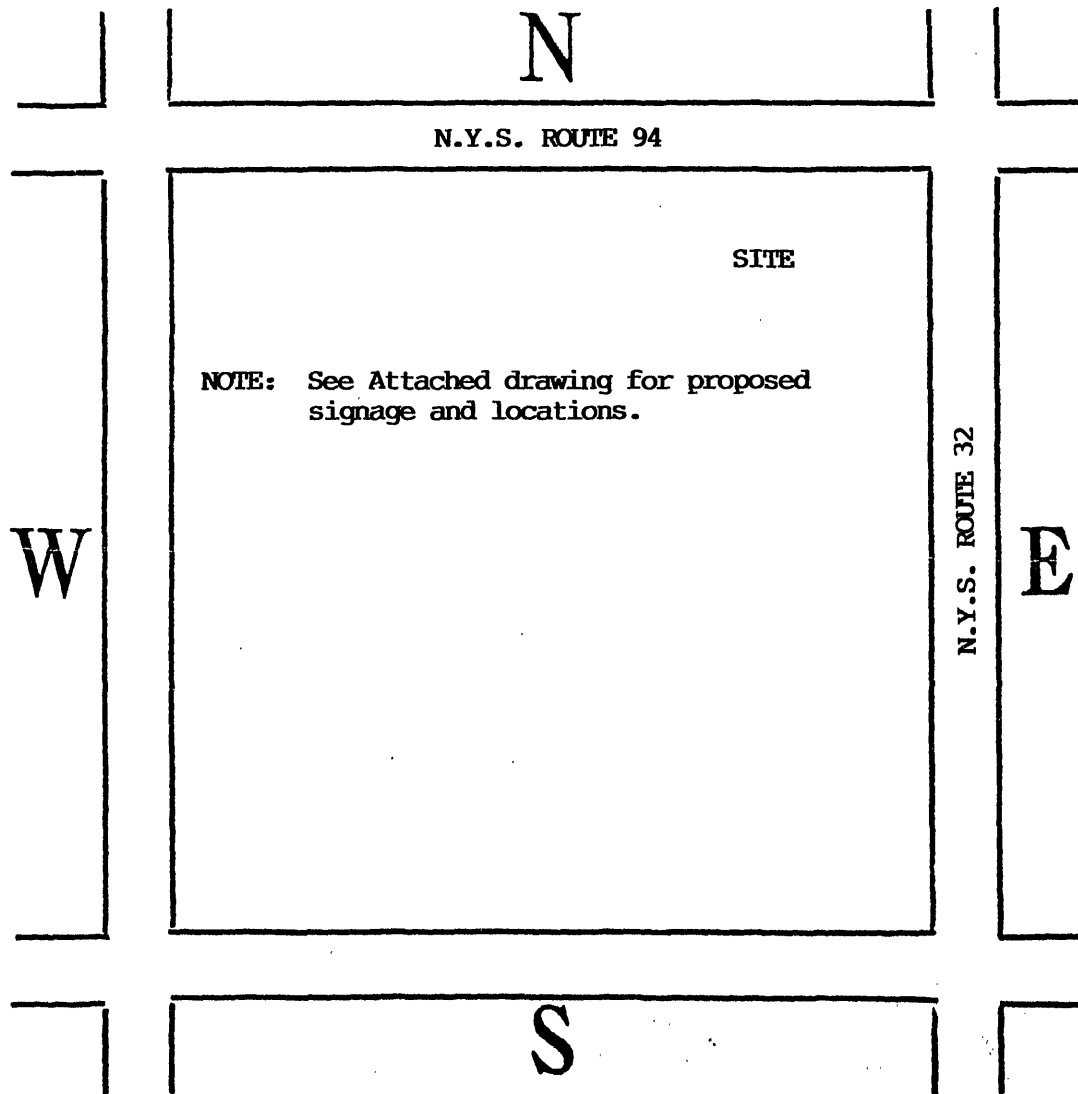
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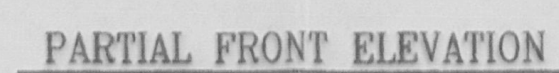
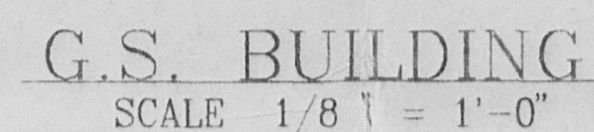
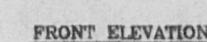
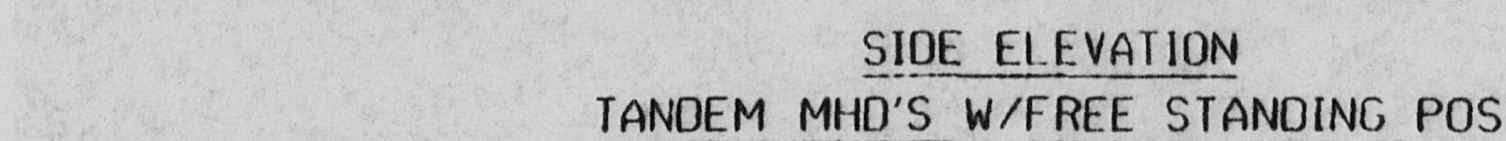
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CANOPY ELEVATIONS

SCALE 1/8" = 1'-0"



SIDE ELEVATION

I.D./PRICE SIGN DETAIL

N.T.S.

<h1 style="margin: 0;">BOHLER ENGINEERING, INC.</h1> <p style="margin: 0; font-size: 0.8em;">* CIVIL & CONSULTING ENGINEERS • PROJECT MANAGERS • ENVIRONMENTAL & SITE PLANNERS • MUNICIPAL ENGINEERS</p>	
<p style="text-align: center;">29 MAIN STREET MAINLAND, PENNSYLVANIA 19451 (215) 256-1100</p>	<p style="text-align: center;">786 MOUNTAIN BLVD. WATCHUNG, NEW JERSEY 07060 (908) 688-8300</p>
<p style="text-align: center;">40 EAST MERRICK ROAD VALLEY SPRING, NEW YORK 11581 (516) 872-2000</p>	
<p>PROJECT: Mobil Oil Corporation PROPOSED SIGNAGE PLAN LOT 26.2, BLOCK 4, SECTION 69 TOWN OF WINDSOR, ORANGE COUNTY, N.Y.</p>	<h2 style="margin: 0;">SIGNAGE ELEVATIONS</h2>
<p style="font-size: 1.5em; font-weight: bold; margin: 0;">L.H. BOHLER</p> <p style="font-size: 1.2em; font-weight: bold; margin: 0;">E.L. STEINFELDT</p> <div style="text-align: center; margin-top: 10px;"> </div> <p style="font-weight: bold; margin: 0;">PROFESSIONAL ENGINEER</p> <p style="font-size: 0.8em; margin: 0;">NEW JERSEY LICENSE NO. 27410 PENNSYLVANIA LICENSE NO. 37184 NEW YORK LICENSE NO. 63409 CONNECTICUT LICENSE NO. 17518</p>	<p style="font-weight: bold; margin: 0;">PROFESSIONAL ENGINEER</p> <p style="font-size: 0.8em; margin: 0;">NEW JERSEY LICENSE NO. 54812 PENNSYLVANIA LICENSE NO. 40447 DELAWARE LICENSE NO. 8704</p>
<p>SCALE: 1" = 20' - 0"</p> <p>DRAWN BY: JPC</p>	<p>DATE: 7/30/92</p> <p>CHECKED BY: WDG</p>
<p>PROJECT NO. CAD 1D. #</p> <p style="text-align: center;">92096</p>	<p>REVISION NO.</p> <div style="border: 1px solid black; width: 40px; height: 40px; text-align: center; line-height: 40px; font-size: 1.5em; margin: 0 auto;">2</div> <p style="text-align: center;">OF 2</p> <p>CAD 1D. # N20965SE</p> <p style="text-align: center;">0</p>